

Plaintiff's Original Petitioner For Declaratory Judgment

("ROUNDPOINT") is a Debt Collector (as defined by statute) at or relating to the operation of the premises at 5032 Parkway Plaza Blvd., suite 100, Charlotte, NC 28217.

JURISDICTION AND VENUE

This court has subject matter jurisdiction over this matter pursuant to Chapter 37 of the Tex. Civ. Prac. & Rem. Code and Fed R Civ. P. Rule 57 and 28 USC §§2201-02. This court has personal jurisdiction over all defendants because all defendants are organized in, live in, residents of and /or have their principal offices in Texas.

This Court has subject matter jurisdiction over this dispute pursuant to 25 U.S. Code §1332(a)(1)(2) because complete diversity of citizenship exists between the parties, and the amount in controversy exceeds \$75,000.00, exclusive of interest and cost.

Venue is proper in this court pursuant to Tex. Civ. Prac. & Rem. Code §15.002. Texas venue law is well-established. The plaintiff has the first choice to fix venue in a proper county. The plaintiff does this by filing the suit in the county of his choice. See *Wilson*, 886 S.W.2d at 260. If a defendant, through a venue transfer motion, objects to the plaintiff's venue choice, the plaintiff must prove that venue is proper in the county of suit. See *Tex. R. Civ. P. 87(2)(a)*; *Wilson*, 886 S.W.2d at 260.

FACTS AND STATEMENT OF CLAIMS

1. Roundpoint Mortgage Request for Debt Validation Pursuant to Fair Debt Collection Practices Act, 15 USC § 1601, et seq Regarding Account 100069.

On or about September 6, 2018, Notary Jerome Powell, Jr.: TX ID 131065951, mailed a letter on my behalf entitled "Request for Debt Validation Pursuant to Fair Debt

Roundpoint Mortgage, Mark Zeidman, 5032 Parkway Plaza Suite 100, Charlotte NC 28217.

This letter was sent via United States Postal Service (USPS) Registered mail RF 220 871 228 US, which was delivered on Wednesday, September 12, 2018 at 10:54am to the Mail Room for Roundpoint Mortgage. This letter gave the CFO of Roundpoint Mortgage a deadline of 14 days from the date of postmark to respond, and instructed him to mail the response to the Notary Jerome Powell, Jr.: TX ID 131065951 as an impartial third party witness and officer of the state and court for Texas. No response was received by the Notary, as sworn on the “Affidavit of Non-Response” dated September 24, 2018.

On or about September 24, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled “Notice of Dishonor and Opportunity to Cure,” granting the CFO of Roundpoint Mortgage an additional 10 days from the date of postmark to respond to the “Request for Debt Validation Pursuant to Fair Debt Collection Practices Act, 15 USC § 1601, et seq Regarding Account 100069” mailed to him on September 6, 2018 via USPS RF 220 871 228 US as mentioned previously. This “Notice of Dishonor and Opportunity to Cure” was mailed to the CFO of Roundpoint Mortgage, Mark Zeidman, 5032 Parkway Plaza Suite 100, Charlotte NC 28217. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640 0001 4856 3996 and was received by C.T. on September 27, 2018. This letter instructed the CFO to reply to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness, and officer of the state and court for Texas. No response was received by the Notary, as sworn on the “Affidavit of Non-Response” dated October 4, 2018.

letter on my behalf entitled “Notice of Default in Dishonor” to the CFO of Roundpoint Mortgage, Mark Zeidman, 5032 Parkway Plaza Suite 100, Charlotte NC 28217. This letter was sent via USPS Certified mail # 7015 0640 0001 4856 4054. This letter was delivered and signed for on October 9, 2018. This letter informed the CFO that after repeated attempts to receive answers to my questions, Roundpoint Mortgage has defaulted on answering with their refusal to respond. Notary Larry Kalmowitz: TX ID 131692550 issued a “Notary Certificate of Dishonor and Non-Response” on October 4, 2018.

On or about December 21, 2018, Notary Larry Kalmowitz TX ID #131692550 mailed a letter entitled “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue” to the Registered Agent for Roundpoint Mortgage , Corporation Service Company dba CSC Lawyers Incorporating Service Company, 211 E 7th Street Suite 620, Austin TX 78701-3218 via USPS Certified mail # 7015 0640 0001 4856 7451 to be delivered to the CFO of Roundpoint Mortgage via the Registered Agent on file with the Secretary of the State of Texas. This letter states that for lack of a response from the CFO of Roundpoint Mortgage, an additional 5 days to respond shall be granted, and further lack of a response to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court will cause Roundpoint Mortgage to irrevocably waive all notices, presentments, process, claims and defenses, and agree to be irrevocably bound to the terms, conditions, stipulations, obligations, and invoices set forth in the letter entitled “Request for Debt Validation Pursuant to Fair Debt Collection Practices Act, 15 USC § 1601, et seq Regarding Account 100069” mailed on September 6, 2018 via USPS RF 220 871 228 US. This “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue”

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was delivered on December 31, 2018 and signed for by Kyle Ratzlaff. No response was
received by Notary Larry Kalmowitz: TX ID 131692550, as sworn on the “Affidavit of
Non-Response” dated January 14, 2019.

The entire packet with copies of all letters, proof of deliveries, certificates, and State
of Texas Authentication Certificate Number 11642883 issued on November 19, 2018
certifying LARRY KALMOWITZ as a notary in good standing are enclosed as EXHIBIT A.

2. PNC BANK NA Mailing: Affidavit of Truth, Affidavit of Account Paid in Full, and
Rejection of Hughes, Watters, & Askanase LLP Notices.

On or about October 11, 2018, Notary Larry Kalmowitz: TX ID 131692550, mailed a
packet of letters on my behalf entitled “Affidavit of Truth, Affidavit of Account Paid in Full,
and Rejection of Hughes, Watters, & Askanase LLP Notices” to the CFO of PNC BANK
NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA
15222. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640
0001 4856 4153, which was delivered on October 22, 2018 at 8:56am. This letter gave the
CFO of PNC BANK NA a deadline of 7 days from the date of postmark to respond, and
instructed him to mail the response to the Notary Larry Kalmowitz: TX ID 131692550 as an
impartial third party witness and officer of the state and court for Texas. No response was
received by the Notary, as sworn on the “Affidavit of Non-Response” dated October 27,
2018.

On or about October 27, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a
letter on my behalf entitled “Notice of Dishonor and Opportunity to Cure,” granting the
CFO of PNC BANK NA an additional 10 days from the date of postmark to respond to the

Askanase LLP Notices” mailed to him on October 11, 2018 via USPS 7015 0640 0001 4856 4153 as mentioned previously. This “Notice of Dishonor and Opportunity to Cure” was mailed to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640 0001 4856 4078 and was received on November 5, 2018. This letter instructed the CFO to reply to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness, and officer of the state and court for Texas. No response was received by the Notary, as sworn on the “Affidavit of Non-Response” dated November 8, 2018.

On or about November 8, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled “Notice of Default in Dishonor” to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via USPS Certified mail # 7015 0190 0000 4783 5109. This letter informed the CFO that after repeated attempts to receive answers to my questions, PNC BANK NA has defaulted on answering with their refusal to respond. Notary Larry Kalmowitz: TX ID 131692550 issued a “Notary Certificate of Dishonor and Non-Response” on November 8, 2018.

On or about December 21, 2018, Notary Larry Kalmowitz TX ID #131692550 mailed a letter entitled “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue” to the Registered Agent for PNC BANK NA , Corporation Service Company dba CSC Lawyers Incorporating Service Company, 211 E 7th Street Suite 620, Austin TX 78701-3218 via USPS Certified mail # 7015 0640 0001 4856 7444 to be delivered to the CFO of

This letter states that for lack of a response from the CFO of PNC BANK NA, an additional 5 days to respond shall be granted, and further lack of a response to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court will cause PNC BANK NA to irrevocably waive all notices, presentments, process, claims and defenses, and agree to be irrevocably bound to the terms, conditions, stipulations, obligations, and invoices set forth in the letters entitled “Affidavit of Truth, Affidavit of Account Paid in Full, and Rejection of Hughes, Watters, & Askanase LLP Notices ” mailed on October 11, 2018 via USPS Certified mail 7015 0640 0001 4856 4153. This “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue” was delivered on December 31, 2018 and signed for by Kyle Ratzlaff. No response was received by Notary Larry Kalmowitz: TX ID 131692550, as sworn on the “Affidavit of Non-Response” dated January 14, 2019.

The entire packet with copies of all letters, proof of deliveries, certificates, and State of Texas Authentication Certificate Number 11642880 issued on November 19, 2018 certifying LARRY KALMOWITZ as a notary in good standing are enclosed as EXHIBIT B.

3. PNC BANK NA Mailing: Notice of Acceptance, Affidavit of Account Paid in Full, Notice to Set Off Accounts, UCC 3-603 Tender of Payment.

On or about September 20, 2018, Notary Larry Kalmowitz: TX ID 131692550, mailed a packet of letters on my behalf entitled “Notice of Acceptance, Affidavit of Account Paid in Full, Notice to Set Off Accounts, UCC 3-603 Tender of Payment” to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor,

mail 7015 0640 0001 4856 3958, which was delivered on September 25, 2018. These letters gave the CFO of PNC BANK NA a deadline of 14 days from the date of postmark to respond; and instructed him to mail the responses to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court for Texas. No response was received by the Notary, as sworn on the "Affidavit of Non-Response" dated October 9, 2018.

On or about October 9, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled "Notice of Dishonor and Opportunity to Cure," granting the CFO of PNC BANK NA an additional 10 days from the date of postmark to respond to the "Notice of Acceptance, Affidavit of Account Paid in Full, Notice to Set Off Accounts, UCC 3-603 Tender of Payment" mailed to him on September 20, 2018 via USPS 7015 0640 0001 4856 3958 as mentioned previously. This "Notice of Dishonor and Opportunity to Cure" was mailed to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640 0001 4856 9189 and was received on October 15, 2018. This letter instructed the CFO to reply to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness, and officer of the state and court for Texas. No response was received by the Notary, as sworn on the "Affidavit of Non-Response" dated October 22, 2018.

On or about October 22, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled "Notice of Default in Dishonor" to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA

letter was delivered and signed for on November 2, 2018. This letter informed the CFO that after repeated attempts to receive answers to my questions, PNC BANK NA has defaulted on answering with their refusal to respond. Notary Larry Kalmowitz: TX ID 131692550 issued a "Notary Certificate of Dishonor and Non-Response" on October 22, 2018.

On or about December 21, 2018, Notary Larry Kalmowitz TX ID #131692550 mailed a letter entitled "Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue" to the Registered Agent for PNC BANK NA , Corporation Service Company dba CSC Lawyers Incorporating Service Company, 211 E 7th Street Suite 620, Austin TX 78701-3218 via USPS Certified mail # 7015 0640 0001 4856 7437 to be delivered to the CFO of PNC BANK NA via the Registered Agent on file with the Secretary of the State of Texas. This letter states that for lack of a response from the CFO of PNC BANK NA, an additional 5 days to respond shall be granted, and further lack of a response to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court will cause PNC BANK NA to irrevocably waive all notices, presentments, process, claims and defenses, and agree to be irrevocably bound to the terms, conditions, stipulations, obligations, and invoices set forth in the letters entitled "Notice of Acceptance, Affidavit of Account Paid in Full, Notice to Set Off Accounts, UCC 3-603 Tender of Payment " mailed on September 20, 2018 via USPS Certified mail 7015 0640 0001 4856 3958. This "Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue" was delivered on December 31, 2018 and signed for by Kyle Ratzlaff. No response was received by Notary Larry Kalmowitz: TX ID 131692550, as sworn on the "Affidavit of Non-Response" dated January 14, 2019.

of Texas Authentication Certificate Number 11642881 issued on November 19, 2018 certifying LARRY KALMOWITZ as a notary in good standing are enclosed as EXHIBIT C.

4. PNC BANK NA Mailing: Re: Foreclosure Loan Number 1000359149 Letter.

On or about September 20, 2018, Notary Larry Kalmowitz: TX ID 131692550, mailed a packet of letters on my behalf entitled "Re: Foreclosure Loan Number 1000359149" to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640 0001 4856 3927, which was delivered on September 25, 2018. This letter gave the CFO of PNC BANK NA a deadline of 14 days from the date of postmark to respond, and instructed him to mail the responses to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court for Texas. No response was received by the Notary, as sworn on the "Affidavit of Non-Response" dated October 9, 2018.

On or about October 9, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled "Notice of Dishonor and Opportunity to Cure," granting the CFO of PNC BANK NA an additional 10 days from the date of postmark to respond to the "Re: Foreclosure Loan Number 1000359149" mailed to him on September 20, 2018 via USPS 7015 0640 0001 4856 3927 as mentioned previously. This "Notice of Dishonor and Opportunity to Cure" was mailed to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via United States Postal Service (USPS) Certified mail 7015 0640 0001 4856 9172 and

Larry Kalmowitz: TX ID 131692550 as an impartial third party witness, and officer of the state and court for Texas. No response was received by the Notary, as sworn on the “Affidavit of Non-Response” dated October 22, 2018.

On or about October 22, 2018, Notary Larry Kalmowitz: TX ID 131692550 mailed a letter on my behalf entitled “Notice of Default in Dishonor” to the CFO of PNC BANK NA, Robert Q Reilly, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. This letter was sent via USPS Certified mail # 7015 0640 0001 4856 4184. This letter was delivered on November 5, 2018. This letter informed the CFO that after repeated attempts to receive answers to my questions, PNC BANK NA has defaulted on answering with their refusal to respond. Notary Larry Kalmowitz: TX ID 131692550 issued a “Notary Certificate of Dishonor and Non-Response” on October 22, 2018.

On or about December 21, 2018, Notary Larry Kalmowitz TX ID #131692550 mailed a letter entitled “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue” to the Registered Agent for PNC BANK NA , Corporation Service Company dba CSC Lawyers Incorporating Service Company, 211 E 7th Street Suite 620, Austin TX 78701-3218 via USPS Certified mail # 7015 0640 0001 4856 7420 to be delivered to the CFO of PNC BANK NA via the Registered Agent on file with the Secretary of the State of Texas. This letter states that for lack of a response from the CFO of PNC BANK NA, an additional 5 days to respond shall be granted, and further lack of a response to the Notary Larry Kalmowitz: TX ID 131692550 as an impartial third party witness and officer of the state and court will cause PNC BANK NA to irrevocably waive all notices, presentments, process, claims and defenses, and agree to be irrevocably bound to the terms, conditions,

Number 1000359149” mailed on September 20, 2018 via USPS Certified mail 7015 0640 0001 4856 3927. This “Notice of Final Fault and Opportunity to Cure and Notice of Intent to Sue” was delivered on December 31, 2018 and signed for by Kyle Ratzlaff. No response was received by Notary Larry Kalmowitz: TX ID 131692550, as sworn on the “Affidavit of Non-Response” dated January 14, 2019.

The entire packet with copies of all letters, proof of deliveries, certificates, and State of Texas Authentication Certificate Number 11642882 issued on November 19, 2018 certifying LARRY KALMOWITZ as a notary in good standing are enclosed as EXHIBIT D.

SUIT FOR DECLARATORY RELIEF

This action is being brought pursuant to Chapter 37 of the aforesaid Statue Section 37.003 of that Chapter states in relevant part, that “A court of record within its jurisdiction has power to declare rights, status, and other legal relations whether or not further relief is or could be claimed. An action or proceeding is not open to objection on the ground that a declaratory judgment or decree is prayed for. The declaration may be either affirmative or negative in form and effect, and the declaration has the force and effect of a final judgment or decree”; section 37.004 of that Chapter states, status, in relevant part, that “A person interested under a ... written contract ... or whose rights, status or other legal relations are affected by a ... contract ... may have determined any question of construction or validity arising under the ... contract ...and obtain a declaration of rights status or other relations thereunder.”

In this matter, the Defendants have defaulted after being granted numerous opportunities to cure such defaults. Defendants have been afforded their opportunity to be heard by the Plaintiff and refused to cure defects of their responses to the Plaintiff's claims now made a part hereof by reference as if full set forth herein. See EXHIBITS A, B, C, and D.

Plaintiff has exhausted her administrative remedies in accords with the Administrative Procedures Act and therefore can maintain a suit at law for remedy and relief sought. Moreover the enumerations in Sections 37.004 do not limit or restrict the exercise of the general powers conferred in this section in any proceeding in which declaratory relief is sought and a judgment or decree will terminate the controversy or remove an uncertainty. This is a live controversy because the determination of this issue clearly affects the Plaintiff's rights and status under the alleged contract.

ATTORNEYS' FEES AND COST

Plaintiff seeks reasonable attorney fees in the amount of \$16,800.00 for having to defend this matter (see annex E "USAO Attorney Fee Matrix") at a rate of \$300.00 per hour for a total of 56 hrs from September 2018– January 2019 totaling fees in the amount of \$16,800.00 and any other obligations incorporated herein by reference as if fully set forth herein and now made a part hereof concerning this case.

PRAYER FOR DECLARATORY RELIEF

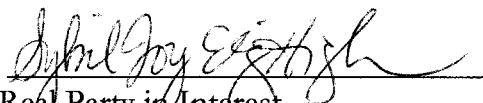
Plaintiff, through this action, seeks to have the court issue an order acknowledging Plaintiffs right to a claim for damages both compensatory and punitive and for these

against Defendants for the following:

- a. A declaratory judgment offering the courts determination and acknowledgment of Plaintiffs right to a claim for damages both compensatory and punitive;
- b. A declaratory judgment offering the courts determination and acknowledgment of Plaintiffs right and claim to maintain a suit at law and equity;
- c. A declaratory judgment offering the courts determination and acknowledgment that Defendants/Respondents are in **DEFAULT**.
- d. A declaratory judgment offering the courts determination and acknowledgment that Defendants/Respondents have no legal relationship to the Plaintiff and therefore lack the legal capacity to sue and collect against Plaintiff for claims alleged.
- e. A declaratory judgment offering the courts determination and acknowledgment of Plaintiff's right to reasonable Court cost and reasonable Attorneys' fees.

All other relief to which Plaintiff is entitled to and that is seen fit and proper by this administrative body politic unless herein stated is DENIED.

SWORN TO and subscribed on and **IN WITNESS WHEREOF** this 5th day of FEBRUARY 2019

By: 
As: Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

SYBIL EHNINGER

PLAINTIFF

V.

PNC BANK N.A.

**ROUNDPOINT MORTGAGE
SERVICING CORPORATION**

DEFENDANT

CASE No. _____

COMPLAINT FOR DEFAULT

SUMMONS

PNC BANK N.A. whose principle place of business is 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222. ROUNDPOINT MORTGAGE SERVICING CORPORATION whose principle place of business is 5032 Parkway Plaza Blvd, Suite 100, Charlotte, NC 28217 were on separate and several occasions served and given notice regarding certain debt validation and securitization claims by plaintiff.

To date no responses or defenses have been served timely to Plaintiff and Defendants having waived all notice, presentments process, claims and defenses, and agrees to be irrevocably bound to the terms, conditions, stipulations, obligations and invoices heretofore shall not, by the plaintiff be served any summons or other processes regarding this instant matter.

SWORN TO and subscribed on this 5th day of February 2019

BY: Sybil Joy English
Plaintiff, Pro Se

DECLARATORY RELIEF

offering the court's determination and acknowledgment that Defendants/Respondents are in **DEFAULT**.

IT IS FURTHER DECLARED THAT PLAINTIFF is entitled a declaratory judgment offering the court's determination and acknowledgment that Defendants/Respondents have no legal relationship to the Plaintiff and therefore lack the legal capacity to sue and collect against Plaintiff for claims alleged.

IT IS FURTHER DECLARED THAT PLAINTIFF is entitled to a prejudicial Quiet Title and Satisfaction of Mortgage per Texas Marketable Record Title Act, Private Real Property Rights Preservation Act Title 4, Property Code, is amended by adding Chapter 28 and Tex. Gov't Code §2007 of Title 10 and Tex Prop Code §11.008, §12.001 and §13.002.

IT IS FURTHER DECLARED THAT PLAINTIFF is entitled a declaratory judgment offering the court's determination and acknowledgment of Plaintiff's right to reasonable Court cost and reasonable Attorneys' fees.

All other relief not herein stated is **DENIED**.

DECLARED THIS _____ day of _____ 20____

PRESIDING JUDGE

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 SYBIL EHNINGER

 7237 Retriever Lane
 Fort Worth TX 76120

 (b) County of Residence of First Listed Plaintiff TARRANT
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

972-977-8318

DEFENDANTS

 PNC BANK, N. A.
 ROUNDPOINT MORTGAGE SERVICING COMPANY

 County of Residence of First Listed Defendant ALLEGHENY
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

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II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

FRCP 57

Brief description of cause:

DECLATORY RELIEF / FINAL DETERMINATION

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

 DEMAND \$
 16,800.00

CHECK YES only if demanded in complaint:

 JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE 04/25/2019 February 5, 2019

SIGNATURE OF ATTORNEY OF RECORD

Sybil Ehninger

FOR OFFICE USE ONLY

RECEIPT # FW 032134

AMOUNT

400

APPLYING IFP

JUDGE

MAG. JUDGE

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about December 21st, 2018 the contents of Certified mail # 7015 0640 0001 4856 7451 as detailed on the NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE, AND NOTICE OF INTENT TO SUE.

Respondent(s)

CFO of ROUNDPOINT MORTGAGE COMPANY, 5032 PARKWAY PLAZA BLVD, SUITE 100, CHARLOTTE NC 28217

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE

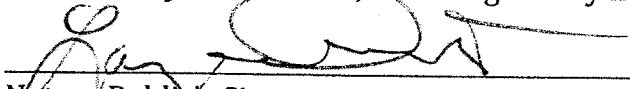
Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about December 21st, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 7451 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.



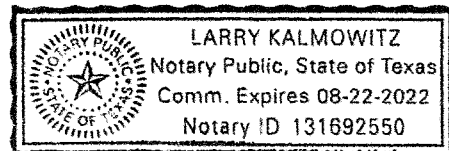
Notary Public's Signature

MY COMMISSION EXPIRES: 08-22-2022

Larry Kalmowitz, Notary Public
c/o PO Box 6626
Tyler, TX 75711

January 14, 2019

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Case 4:19-cv-00104-A Document 1

Filed 02/05/19 Page 20 of 111 PageID 20

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Corporation Service Co
211 E 7th Street
Suite 620
Austin TX 78701-3218



9590 9402 3719 7335 0781 86

2. Article Number (Transfer from service label)

7015 0640 0001 4856 7451

PS Form 3811, July 2015 PSN 7530-02-000-9053

X **Kyle Ratzlaff**☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Kyle Ratzlaff

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery (0)

Domestic Return Receipt

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Postmark
Here

Corporation Service Co.
d/b/a CSC. Lawyers Inc. SU
211 E 7th Street Ste 620
Austin TX 78701

Mark
Kedman
Ste
rdl 100

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7015 0640 0001 4856 7451

AFFIDAVIT OF NOTARY PRESENTMENT CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that this document is being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this 21st day of December, 2018. This documents is to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 7451, to the CFO of ROUNDPOINT MORTGAGE COMPANY, 5032 Parkway Plaza Blvd Suite 100, Charlotte NC 28217 c/o Registered Agent CORPORATION SERVICE CO dba CSC LAWYERS INCORPORATING SERVICE COMPANY 211 E 7th Street Suite 620 Austin, TX 78701-3218.

All responses are to be mailed within 5 business days to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE AND NOTICE OF INTENT TO SUE

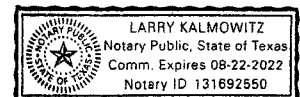
ROUNDPOINT MORTGAGE COMPANY / CFO Mark Zeidman (applicable to all successors and assigns) has (5) five business days from receipt of this "NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE" to respond to the original Letter entitled "Request for Debt Validation" mailed to you on September 6, 2018 via USPO Registered mail # RF 220 871 228 US in its totality under terms and conditions set forth therein or otherwise be advised that upon FINAL DEFAULT, ROUNDPOINT MORTGAGE COMPANY irrevocably waives all notices, presentments, process, claims and defenses and agrees to be irrevocably bound to the terms, conditions, stipulations, obligations and invoices set forth in the letter "Request for Debt Validation."

SWORN TO and subscribed on and IN WITNESS WHEREOF this 21st day of December, 2018.

By: Sybil-Joy: Ehninger High
As: Real Party in Interest

NOTARY SIGNATURE: Larry Kalmowitz

MY COMMISSION EXPIRES: 08-22-2022



Personally Known _____ Produced Identification ☒ Type of Identification DC

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

Republic of Texas

)
)
)
) SS
)
)

**NOTARY CERTIFICATE OF
DISHONOR AND NON-
RESPONSE**

Smith County

P R E S E N T M E N T

Be it known, that a duly empowered Notary Public, in and for the STATE OF TEXAS, COUNTY OF SMITH, a third party and not a party to the matter, at the request of Principal / Secured Party, did present on September 24, 2018, a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE pursuant to international commercial law listed within the Notary Certificate of Service via Certified Mail with a Return Receipt to:

ATT'N: C.F.O. for
ROUNDPOINT MORTGAGE COMPANY
5032 PARKWAY PLAZA BLVD, SUITE 100
CHARLOTTE, NC 28217
Respondent / LIBELLEE

The Secured Party sent a Notice requiring Respondent / LIBELLEE to issue a timely rebuttal regarding the allegations in Claim No. RF220871228US, and the time limit has elapsed, constituting acceptance by Respondent / LIBELLEE thereof instead of providing a timely response / rebuttal to the allegations of the Secured Party. An unrebuted Affidavit stands as the judgment in commerce.

P R O T E S T

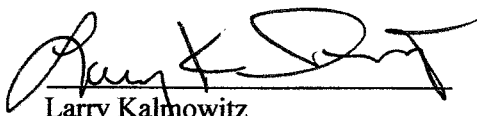
Whereupon, the Notary Public signing below, for the purpose and reason of Dishonor and Non-Response, does publicly and solemnly certify the dishonor as against all parties it may concern for liability equivalent to the face value of the instrument and the claim of the debt, and all costs, late fees, damages and interest incurred, or hereafter incurred, by reason of non-performance thereof and stipulations therein.

N O T I C E

The undersigned Notary Public certifies that on the 4th day of October, 2018, this Notice of Dishonor was sent to Respondent by depositing said document with the USPS, Certified Mail No. 7015 0640 0001 4856 4054 with a Return Receipt Requested.

T E S T I M O N Y

In testimony of the above, I have hereunto signed my name as a Notary Public and a non-interested third-party witness.



Larry Kalmowitz
Notary Public
PO Box 6626
Tyler, Texas [75711]



NOTICE OF DEFAULT IN DISHONOR

Certified Mail #: **Certified Mail # 7015 0640 0001 4856 4054**

Notice date: **October 4, 2018**

Libellant: **Sybil-Joy: Ehninger High**
Service by and respond to:
c/o Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, Texas [75711]

LIBELLE: **ATTN: C.F.O. for**
ROUNDPOINT MORTGAGE COMPANY
5032 Parkway Plaza Blvd, Suite 100
Charlotte, NC 28217

Reference: **Request for Validation USPS Registered mail # RF220871228US**

This instrument is a **Notice of Default in Dishonor** upon the instrument(s) tendered by the Libellant on or about September 6, 2018 with the U.S.P.S. Registered Mail No. RF220871228US with a Return Receipt requested. The return receipt was received by the Respondent(s) on or about September 15, 2018 at the address referenced above.

PRESENTMENT: On **September 6, 2018**, Jerome Theodore Powell Jr. (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Registered Mail # RF220871228US:

1. a Notary Certificate of Service
2. a Demand for Validation / Proof of Claim / Notice of Dispute / Demand for Accounting # RF220871228US

On **September 24, 2018**, Larry Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 3996:

1. Notice of Dishonor and Opportunity to Cure

DISHONOR: By the terms and conditions of the agreement resulting by the LIBELLE'S disregard of the Presentments, the LIBELLE is under the duty and obligation to timely and in good faith protest and/or honor the contract by presentment within the allowed timeframe and to provide a timely rebuttal and / or an adjusted statement of account. The failure by LIBELLE to issue a timely response comprises their agreement with all of allegations of the LIBELLE'S misconduct set forth by the Libellant.

Allowing fourteen (14) days for the initial response, Libellant did not receive a satisfactory response. The Second Notice granted an additional ten (10) days for the opportunity to cure the dishonor. With the time allowed having passed for the LIBELLE to cure their dishonor, and the Notaries showing no record of rebuttal or response, the Libellant and third-party witnesses now deem the instrument(s) to have been dishonored on or around September 24, 2018, and the **Notice of Dishonor and Opportunity to Cure** to have been dishonored on October 4, 2018, thereby comprising a confession of judgment on the merits.

DEFAULT: For the LIBELLE'S failure to respond, the Respondent(s) are at **fault**. For the Respondent(s) failure, refusal, or neglect to respond to the verified presentment and to the **Notice of Dishonor and Opportunity to Cure**, LIBELLE thereby acquiesces and tacitly agrees with all terms, conditions, stipulations, obligations, and invoices set forth within the **Demand for Validation / Proof of Claim / Notice of Dispute / Demand for Accounting # RF220871228US**.



The State of Texas

Secretary of State

I, Rolando B. Pablos, Secretary of State of the State of Texas, DO HEREBY
CERTIFY that according to the records of this office,

LARRY KALMOWITZ

was commissioned as a Notary Public for the State of Texas on August 22,
2018, for a term ending on August 22, 2022.

Issued: November 19, 2018
Certificate Number 11642883



A handwritten signature of Rolando B. Pablos, consisting of stylized, flowing letters.

Rolando B. Pablos
Secretary of State
GF/aw

Of this presentment take due **Notice** and heed. Please govern yourself accordingly.

IN WITNESS WHEREOF, I hereunto set my hand on this 4th day of October, 2018 and that the Libellant hereby affirms all of the statements made above are true, correct, complete, and are not misleading.

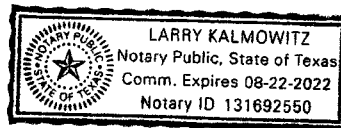
Autograph: Sybil Joy: Ehnigh
Sybil-Joy: Ehnigher High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED / UCC 1-308

JURAT

State of Texas)
) ss.
County of Smith)

Sworn to (or affirmed) and subscribed before me on this **4TH day of October 2018**, by **Sybil-Joy: Ehnigher High** proved to me on the basis of satisfactory evidence to be the one who appeared before me.

[Signature]
Notary Public's Signature



MY COMMISSION EXPIRES: 8/22/2022

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Case 4:19-cv-00102-3A Document 1 Filed 02/05/19 Page 26 of 111 PageID 26

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roundpoint Mortgage Co
CFO Mark Zeidman
5032 Parkway Plaza Blvd
Ste 100
Charlotte, NC 28217



9590 9402 3614 7305 6854 19

2. Article Number (Transfer from service label)

7015 0640 0001 4856 4054

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

X ☐ Agent ☐ Addressee

B. Received by (Printed Name) *KINS* C. Date of Delivery *10/9/17*

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☐ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☒ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery
☐ Insured Mail

Mail Restricted Delivery (X)

7015 0640 0001 4856 4054

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ _____	Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____
Postage \$ _____	Total Postage and Fees \$ _____
Postmark Here	
PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions	

Sent to
 Roundpoint Mortgage Co CFO Mark Zeidman
 5032 Parkway Plaza Blvd Ste 100
 Charlotte NC 28217

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about September 24th, 2018 the contents of Certified mail # 7015 0640 0001 4856 3996 as detailed on the NOTICE OF DISHONOR AND OPPORTUNITY TO CURE.

Respondent(s)

CFO of ROUNDPOINT MORTGAGE COMPANY, 5032 PARKWAY PLAZA BLVD, SUITE 100, CHARLOTTE NC 28217

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE

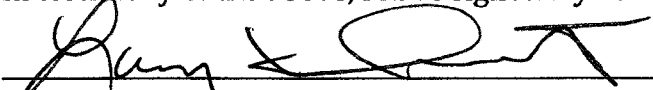
Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about September 24th, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 3996 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.



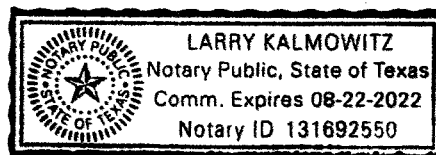
Notary Public's Signature

October 4th, 2018

Date

MY COMMISSION EXPIRES: 8/22/2022

Larry Kalmowitz, Notary Public
c/o PO Box 6626
Tyler, TX 75711



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

This is a private communication between the parties.
Notice to agent is notice to principal. Notice to principal is notice to agent.

Date of Notice: September 24, 2018, Certified Mail # 7015 0640 0001 4856 3996

UNDERSIGNED

Sybil-Ioy: Ehninger High, c/o Larry Kalmowitz, Notary Public, **P.O. Box 6626 Tyler, TX 75711**

RESPONDENT(S)

Mark Zeidman, CFO: ROUNDPOINT MORTGAGE COMPANY, 5032 PARKWAY PLAZA BLVD, SUITE 100, CHARLOTTE NC 28217

In the matter of: **SYBIL IOY EHNINGER HIGH**, ACCOUNT NUMBER: 1000693356

Dear **Mark Zeidman**:

This instrument is a **NOTICE OF DISHONOR AND OPPORTUNITY TO CURE** upon the instrument(s) presented under notary seal by Jerome Theodore Powell Jr., Notary Public, 703 Ashford Lane, Wiley Texas 75098 on or about September 6, 2018 with the Registered Mail Number RF220871228US Return Receipt requested.

1. REQUEST FOR DEBT VALIDATION

DISHONOR

By the terms and conditions of the agreement resulting by the offer and acceptance of the presentment mailed September 6, 2018, the Respondent(s) are under the duty and obligation to timely and in good faith respond to the mailing within fourteen (14) days by executing a verified response point-by-point with evidence that is true, correct and complete, to be received by Jerome Theodore Powell Jr., Notary Public, 703 Ashford Lane, Wiley, TX 75098. Allowing fourteen (14) days for the receipt of your response, and the time allowed having passed, and the Notary showing no record of response, UNDERSIGNED now deems the instrument(s) to have been dishonored on September 24, 2018, and therefore a confession of fault on the merits is warranted.

OPPORTUNITY TO CURE

For the failure of the RESPONDENT to reply, the UNDERSIGNED is placing the RESPONDENT(S) at fault. This presentment is the good faith offer by the UNDERSIGNED to grant an extension of time to the RESPONDENT(S) of an additional ten (10) days from the date of the postmark of this presentment. RESPONDENT(S) has ten (10) days from the date of this postmark to reply to the Notary at the address given above. For the RESPONDENT(S) failure, refusal, or neglect in the provision of a verified, timely, and complete response; as a sufficient verified response is defined below, to this NOTICE OF DISHONOR AND OPPORTUNITY TO CURE, RESPONDENT is consenting with the UNDERSIGNED'S entry of a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE upon the RESPONDENT(S). The issuance of this NOTICE verifying RESPONDENT(S) non-response, and RESPONDENT(S) acquiescence and tacit agreement with all terms, conditions and stipulations herein by **Larry Kalmowitz**, Notary.

RESPONSE

Only a response that meets the following criteria qualifies as a sufficient, timely and verified response:

1. Any response must be made via a sworn affidavit, verified and/or affirmed by a signature under the penalty of perjury, or by a signature under the full commercial liability, of the affiant(s) thereof; and
2. Any response must be made as a presentment to the Notary named above, **Larry Kalmowitz**, delivered to the above address **PO Box 6626, Tyler, TX 75711**, by Certified, or Registered Mail to ensure delivery and appropriate certification, and received by said Notary no later than ten (10) days from the postmark of this presentment. Service in any other manner will be defective on its face.

DEFAULT

Default conveys your agreement with all of the statements and facts set forth within the original mailing Registered Mail RF220871228US.

Of this presentment take due Notice and heed, and govern yourself accordingly.

IN WITNESS WHEREOF I hereunto set my hand and seal on this September 24, 2018 and hereby certify all the statements made above are true, correct and complete.

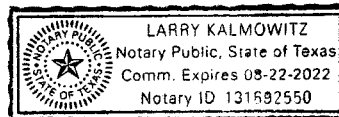
Autograph: *Sybil Ioy: Ehninger High* (seal)

Sybil-Ioy: Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL IOY EHNINGER HIGH TRUST**

ALL RIGHTS RESERVED, "WITHOUT PREJUDICE" UCC 1-308

JURAT

State of Texas)
) ss.
County of Smith)



Sworn to (or affirmed) and subscribed before me on this 24th day of September 2018, by **Sybil-Ioy: Ehninger High** proved to me on the basis of satisfactory evidence to be the one who appeared before me.


[Signature]
Notary Public's Signature

September 24, 2018
Date

MY COMMISSION EXPIRES: 8/22/2022

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>C.T.</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Roundpoint Mortgage CFO Mark Zeidman 5032 Parkway Plaza Blvd Ste 100 Charlotte NC 28217</p>  <p>9590 9402 3070 7124 7711 42</p>		<p>B. Received by (Printed Name) <i>C.T.</i></p> <p>C. Date of Delivery <i>9/27/18</i></p>	
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0001 4856 3996</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p>Domestic Return Receipt</p>	

7015 0640 0001 4856 3996

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE	
<p>Certified Mail Fee \$</p> <p>Extra Services & Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p> <p>Postage \$</p> <p>Total Postage and Fees \$</p>	<p>Postmark Here</p>
<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>	

Sent to
 Roundpoint Mortgage CFO Mark Zeidman
 Street and Apt. No., or PO Box No.
 5032 Parkway Plaza Blvd Ste 100
 City, State, ZIP+4®
 Charlotte NC 28217

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF COLLIN)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Jerome Theodore Powell Jr., Notary Public, 703 Ashford Lane, Wiley Texas 75098 did duly present on or about **September 6th, 2018** the contents of Registered Mail # RF 220 871 228 US as detailed on the NOTARY CERTIFICATE OF MAILING.

Respondent(s)

CFO of ROUNDPOINT MORTGAGE, 5032 Parkway Plaza Blvd, Suite 100, Charlotte NC 28217.

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Jerome Theodore Powell, Jr, c/o 703 Ashford Lane, Wylie TX 75098.

NON-RESPONSE

Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about **September 6th, 2018**, Jerome Theodore Powell Jr., Notary Public, 703 Ashford Lane, Wiley Texas 75098 did send the Registered mail # RF 220 871 228 US by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.

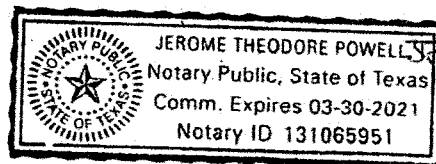
Jerome Theodore Powell, Jr.
Notary Public's Signature

MY COMMISSION EXPIRES: 3-30-2021

Jerome Theodore Powell, Jr., Notary Public
c/o 703 Ashford Lane
Wiley, TX 75098

September 24th, 2018

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

PRESENTMENT OF NOTICE AND CLAIM UNDER NOTARY SEAL
NOTICE TO AGENT IS NOTICE TO PRINCIPAL

STATE OF TEXAS) **NOTARY CERTIFICATE OF SERVICE**

)

COUNTY OF COLLIN)

From:

Jerome Theodore Powell, Jr., Notary Public
In care of: 703 Ashford Lane
Wylie, TX [75098]

To:

ROUNDPOINT MORTGAGE COMPANY
Attn: CFO Mark Zeidman
5032 Parkway Plaza Blvd
Suite 100
Charlotte, NC 28217

September 6, 2018

RE: SYBIL JOY EHNINGER HIGH; ROUNDPOINT MORTGAGE COMPANY Account
No. 1000693356.

Service: USPS Registered Mail Article No. RF 220 871 228 US;
Notary's Certificate of Service.

Dear Mr. Zeidman,

Be it known that I, Jerome Theodore Powell, Jr., a duly empowered notary public, in and for the STATE OF TEXAS, COUNTY OF COLLIN, a third party and not a party to the matter for the sole purpose of certifying a response or want thereof. At the request of SYBIL JOY EHNINGER HIGH I have been contacted by Sybil-Joy: Ehninger High from outside the United States. As an operation of my notary duties I have been asked to do the following:


- 1) REQUEST FOR DEBT VALIDATION under notary seal PURSUANT TO FAIR DEBT COLLECTION PRACTICES ACT (15 USC §1601, ET SEQ).
- 2) You may rebut the statements in the DEBT VALIDATION by executing a verified response point-by-point with evidence that is certified to be true, correct and

complete, to be received by the principal no later than fourteen (14) days from this postmark;

- 3) Failure to respond to the DEBT VALIDATION conveys your agreement with all of the statements and facts set forth within this DEBT VALIDATION;
- 4) The response to this DEBT VALIDATION is to be received through me no later than fourteen (14) days from this postmark to prevent issuance of a certificate verifying your non-response/non-performance or default pursuant to my statutory authority. This observation in facilitation of international commerce should not be deemed a power of attorney or the practice of law.

Thank you for your assistance. All communication should be delivered through me at the above address by Registered or Certified Mail to ensure delivery and appropriate certification. Service in any other manner will be defective on its face.

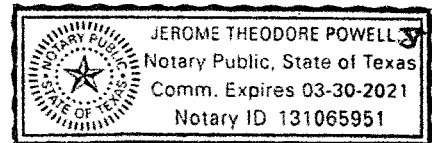
WITNESS my hand and official seal.


NOTARY PUBLIC

Sept 6, 2018

(seal)

My commission expires: 3-31-2021



Void where prohibited by law.

Note: Notary Public Jerome Theodore Powell, Jr. is not an attorney licensed to practice law in the state of TEXAS and has not given legal advice or accepted fees for legal advice; nor has he provided any assistance in the preparation of the above referenced documents and has no interest in any issue referenced therein. Notary Public Jerome Theodore Powell, Jr. is NOT a party to this action and is ONLY acting in an authorized capacity as liaison to communications between the parties.

Registered Mail No. RF 220 871 228 US

Sybil-Joy: Ehninger High, Secured Creditor
and Authorized Representative for
SYBIL JOY EHNINGER HIGH
c/o Non-Domestic, Foreign Mail near:
7237 Retriever Lane
city of Fort Worth, Texas republic [76120]

ROUNDPOINT MORTGAGE COMPANY
Attn CFO Mark Zeidman
5032 Parkway Plaza
Suite 100
Charlotte, NC 28217
Respondent

September 6, 2018

RE: ROUNDPOINT MORTGAGE COMPANY ACCOUNT NO. 1000693356

**REQUEST FOR DEBT VALIDATION
PURSUANT TO FAIR DEBT COLLECTION
PRACTICES ACT, 15 USC §1601, ET SEQ**

Attention all concerned:

This is a Request for Validation of Debt. Please take Notice that SYBIL JOY EHNINGER HIGH needs the information set forth in this request in an attempt to Settle this account. I would like to settle this matter as soon as possible, and I may have a counterclaim to setoff the disputed balance. With that said, please answer the following questions related to this disputed account and return them to me within Fourteen (14) days of receipt of this request, via the Notary Public named below. In the event you should need more time to answer and validate this disputed debt, the undersigned will grant an additional Three (3) days (Plus Three (3) days for mailing) predicated upon your written request for said extension being made prior to the expiration of the allotted time for answering.

- 1) Please provide your name, occupation and title, and mailing address.
- 2) Identify the source of funds in the account that is the subject matter of this mortgage/loan account.
- 3) Produce all records, reports and memoranda relating to the source of funds relating to this disputed account and list all other sources of information such as computer file names, names of databases or locations at which related information is located or accessible, and any identifiers to such information.
- 4) What was the account number of the account in which the funds were held prior to the opening of the account that is the subject matter of this demand for payment of mortgage?
- 5) Who was the owner of each account or, list those individuals having signature rights to each account?
- 6) Identify the account that was debited when the disputed account was created.

- 7) Who was the owner of each account, or list those individuals having signature rights to each account?
- 8) Identify the source of funds that created the disputed account.
- 9) Did the funds for the disputed account originate from another account or lending institution?
- 10) List the names and addresses of all lending institutions from which any funds were purportedly originated.
- 11) Please identify the account number from which the funds originated in order to create the disputed account.
- 12) Admit, or in the alternative, provide evidence to the contrary that no other account was debited when the disputed account was created.
- 13) In the event that you deny that no other account was debited when the disputed account was opened or created, please identify the account that was debited by account number and/or any and all identifiers thereof and the name or names of the debited account's signer(s), holder(s) and/or owner(s), and explain how the funds for this account were originated.
- 14) In the event that you deny that no other account was debited when the disputed was opened or created, state the total balance of this debited account at the time the debit was made; and, list the names of the signer(s) on the account and the date the account was opened along with the opening balance.
- 15) Admit, or in the alternative, provide evidence to the contrary that SYBIL JOY EHNINGER HIGH was the Depositor for the account that is the subject matter of this demand for payment of mortgage.
- 16) Please provide all documents and information, related in any way, to your implication or allegation that a loan was given to SYBIL JOY EHNINGER HIGH.
- 17) Which employee of the bank, lending institution(s), financing company (ies) authorized the transactions?
- 18) If the loan origination system, software or other procedures were used in the opening of the disputed account, please identify the system by name and/or identifier and describe how it works.
- 19) According to the alleged loan agreement, was the purported lender or financial institution(s) involved in the alleged loan to use their own money as adequate consideration to purchase the promissory note from the alleged borrower? **YES** or **NO**
- 20) According to the bookkeeping entries, did the purported lender or financial institution(s) involved in the alleged loan use their own money as adequate consideration to purchase the promissory note from the alleged borrower? **YES** or **NO**
- 21) According to the alleged loan agreement, was the purported lender or financial institution(s) involved in the alleged loan to accept anything of value from the alleged borrower that would be used to fund a check or similar instrument in approximately the amount of the alleged loan? **YES** or **NO**
- 22) According to the bookkeeping entries, did the purported lender or financial institution(s) involved in the alleged loan accept anything of value from the alleged borrower that would be used to fund a check or similar instrument in approximately the amount of the alleged loan? **YES** or **NO**

- 23) Was the intent of the purported loan agreement that the party that funded the loan should be repaid the money lent? **YES** or **NO**
- 24) Did the purported lender or financial institution(s) involved in the alleged loan follow Generally Accepted Accounting Principles (GAAP)? **YES** or **NO**
- 25) Were all material facts disclosed in the written agreement? **YES** or **NO**
- 26) What was the name and address of any bank auditor or certified public accountant involved with or having any relation to the accounting function regarding the disputed account?
- 27) Identify the name of the records, system of accounting records or ledgers reflecting the transaction for the disputed account.
- 28) Were any loan numbers and identifiers to any loan numbers assigned to the disputed account? **YES** or **NO**
- 29) If you answered **YES** to the above question, please list those account numbers and identifiers to those account numbers.
- 30) Explain how each account was created or originated.
- 31) Explain how the funds for each account were deposited and where they originated.
- 32) Was an account created with the purported loan amount then debited to fund the disputed account?
- 33) Please explain your answer to the above question.
- 34) State the name and address of collector (assignee) of the disputed account.
- 35) What are the terms of assignment of the disputed account? You may attach a facsimile, email or otherwise of any records relating to such terms.
- 36) Have any claims been made by any creditor or assignee regarding this account? **YES** or **NO**
- 37) Have any insurance or re-insurance claims been made by any creditor or assignee regarding this account? **YES** or **NO**
- 38) Has the purported balance of this account been used in any tax deduction claim? **YES** or **NO**
- 39) Please list the particular products or services sold by the collector (assignee) to the debtor and the dollar amount of each.
- 40) Please produce all records and tangible evidence relating to the questions herein and send them along with your response to the undersigned via the below named Notary Public.

Upon failure or refusal of collector to validate this collection action, demand for payment on mortgage, collector agrees to waive all claims against the secured party named herein and agrees to pay secured party for all costs and attorney fees involved in exhaustion of administrative remedies and/or defending this action.

Please return these completed questions and attach all assignment or other transfer agreements that would establish your right to collect this debt. Your claim cannot be considered if ANY portion of this request for validation of debt is not completed and returned with the required documents. This is a request for validation made pursuant to the Fair Debt Collection Practices Act. If you do not respond as required by law and within the time granted, you will have stipulated that you have failed to state a claim and are stopped pursuant to, but not limited to 15 USC §1692(g) and You; ROUNDPOINT MORTGAGE COMPANY, et al, are giving permission for a lien to be filed against you, final damages to be calculated prior to lien and notice to you by claim of lien and invoice.

Further, per your refusal, failure or silence (default), this Validation of Debt Notice becomes the Security Agreement between the parties under commercial law.

NOTE: All response must be sent to the undersigned c/o the below named Notary Public.

Without Prejudice, Under Reserve

Sybil-Joy Ehninger High Copyright/copy claim
Sybil-Joy: Ehninger High, Secured Creditor
& Authorized Representative to:
SYBIL JOY EHNINGER HIGH

Third Party Notary:

Jerome Theodore Powell Jr., Notary Public
In care of: 703 Ashford Lane
Wylie, Texas 75098

Registered No.

RF220871 228US

Date Stamp

0124
01

To Be Completed By Post Office	Postage \$	\$0.92	Extra Services & Fees (continued) <input type="checkbox"/> Signature Confirmation \$ <input type="checkbox"/> Signature Confirmation Restricted Delivery \$ Total Postage & Fees \$16.48
	Extra Services & Fees		
	<input type="checkbox"/> Registered Mail	\$12.60	
	<input type="checkbox"/> Return Receipt (hardcopy)	\$2.75	
	<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
	<input type="checkbox"/> Restricted Delivery	\$0.00	
Customer Must Declare Full Value		\$25.00	Received by 09/06/2018

Domestic Insurance up to \$50,000 is included based upon the declared value. International indemnity is limited. (See Reverse).

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roundpoint Mortgage Company
Attn: CFO Mark Zeidman
5032 Parkway Plaza Blvd
Suite 100
Charlotte, NC 28217



9590 9402 4142 8092 4945 17

2. Article Number (Transfer from service label)

RF 220 871 228 US

PS Form 3811, July 2015 PSN 7530-02-000-9053

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be In Ballpoint or Typed	FROM	7401 NORTH, TX 76112 7237 Retriever Ln Ft Worth TX 76120
	TO	Roundpoint 5032 Parkway Plaza Blvd Suite 100 Charlotte NC 28217

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

Copy 1 - Customer

(See Information on Reverse)

For domestic delivery information, visit our website at www.usps.com

Receipt
(USPS Return Receipt #)
(9590940241428092494548)

Total \$16.48

Debit Card Remit'd \$16.48

(Card Name:MasterCard)
(Account #:XXXXXXXXXX0262)
(Approval #:
(Transaction #:354)
(Receipt #:024202)
(Debit Card Purchase:\$16.48)
(Cash Back:\$0.00)
(AID:A0000000042203 Chip)
(AL:Debit)
(PIN:Verified)

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com

USPS Tracking®

FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: RF220871228US

Remove X

Expected Delivery on

WEDNESDAY

12

SEPTEMBER
2018 ⓘ

See Product Information ∨

✓ Delivered

September 12, 2018 at 10:54 am
Delivered, To Mail Room
CHARLOTTE, NC 28217

Get Updates ∨

Feedback

Text & Email Updates



Tracking History



Product Information



See Less ^

Can't find what you're looking for?

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about December 21st, 2018 the contents of Certified mail # 7015 0640 0001 4856 7444 as detailed on the NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE, AND NOTICE OF INTENT TO SUE.

Respondent(s)

Robert Q Reilly, CFO for PNC BANK NA, 249 Fifth Avenue, One PNC Plaza, 21st Floor, Pittsburgh, PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, PO Box 6626, Tyler TX 75711.

NON-RESPONSE

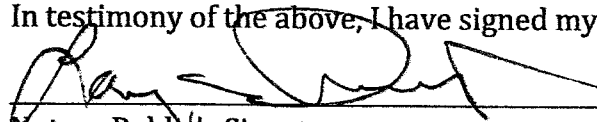
Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about December 21st, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 7444 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.


Notary Public's Signature

MY COMMISSION EXPIRES: 08-22-2022

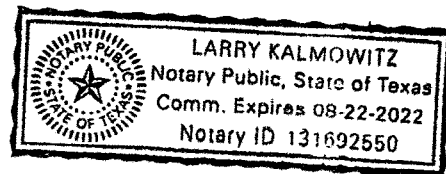
Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711

January 14, 2019

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that this document is being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this **21st day of December, 2018**. This documents is to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 7444, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222 Via Registered Agent CORPORATION SERVICE CO dba CSC LAWYERS INCORPORATING SERVICE COMPANY 211 E 7th Street Suite 620 Austin, TX 78701-3218.

All responses are to be mailed within 5 business days to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE AND NOTICE OF INTENT TO SUE

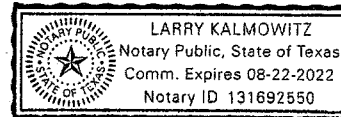
PNC BANK NA / CFO Robert Q Reilly (applicable to all successors and assigns) has (5) five business days from receipt of this "NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE" to respond to the original Letter entitled "Affidavit of Truth, Affidavit of Account Paid in Full, Return / rejection of 14 pages of HWA Notices" mailed to you on October 11, 2018 via USPO Certified mail # 7015 0640 0001 4856 4153 in its totality under terms and conditions set forth therein or otherwise be advised that upon FINAL DEFAULT, PNC BANK NA irrevocably waives all notices, presentments, process, claims and defenses and agrees to be irrevocably bound to the terms, conditions, stipulations, obligations and invoices set forth in the letter "Affidavit of Truth, Affidavit of Account Paid in Full, Return / rejection of 14 pages of HWA Notices."

SWORN TO and subscribed on and **IN WITNESS WHEREOF** this 21st day of December, 2018.

By: Sybil Ehninger High
Sybil Ehninger High
As: Real Party in Interest

NOTARY SIGNATURE: Larry Kalmowitz

MY COMMISSION EXPIRES: 08-22-2022



Personally Known _____ Produced Identification ☒ Type of Identification DC

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cooperation Svc Co
211 E 7th Street
Suite 620
Austin TX 78701-3218
Reg agent for PNC Bank NA



9590 9402 3613 7305 1606 96

2. Article Number (Transfer from service label)

7015 0640 0001 4856 7444

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Kyle Ratzlaff

☐ Agent☐ Addressee

B. Received by (Printed Name)

DEC 31 2018

C. Date of Delivery

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Mail

Mail Restricted Delivery

(X)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Return Receipt for Merchandise☒ Signature Confirmation™☐ Signature Confirmation Restricted Delivery☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

7015 0640 0001 4856 7444

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Adult Signature Required \$ <input type="checkbox"/> Adult Signature Restricted Delivery \$	Postage Total Postage and Fees \$ Postmark Here
Sent to Cooperation Svc Co 211 E 7th Street Suite 620 Austin TX 78701-3218 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Republic of Texas

)
)
)
) SS
)
)

**NOTARY CERTIFICATE OF
DISHONOR AND NON-
RESPONSE**

Smith County

P R E S E N T M E N T

Be it known, that a duly empowered Notary Public, in and for the STATE OF TEXAS, COUNTY OF SMITH, a third party and not a party to the matter, at the request of Principal / Secured Party, did present on October 27, 2018, a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE pursuant to international commercial law listed within the Notary Certificate of Service via Certified Mail with a Return Receipt to:

ATT'N: CFO for
PNC BANK NA
249 FIFTH AVENUE
THE TOWER AT PNC PLAZA, 21ST FLOOR
PITTSBURGH, PA 15222
Respondent / LIBELLE

The Secured Party sent a Notice requiring Respondent / LIBELLE to issue a timely rebuttal regarding the allegations in Claim No. 7015 0640 0001 4856 4153, and the time limit has elapsed, constituting acceptance by Respondent / LIBELLE thereof instead of providing a timely response / rebuttal to the allegations of the Secured Party. An un rebutted Affidavit stands as the judgment in commerce.

P R O T E S T

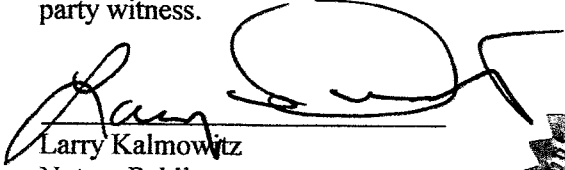
Whereupon, the Notary Public signing below, for the purpose and reason of Dishonor and Non-Response, does publicly and solemnly certify the dishonor as against all parties it may concern for liability equivalent to the face value of the instrument and the claim of the debt, and all costs, late fees, damages and interest incurred, or hereafter incurred, by reason of non-performance thereof and stipulations therein.

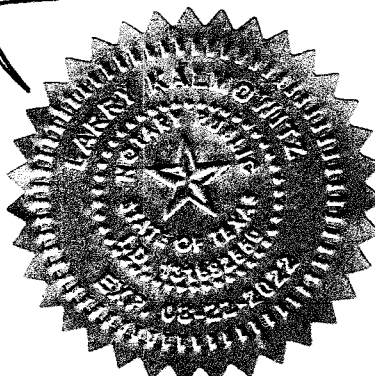
N O T I C E

The undersigned Notary Public certifies that on the 8th day of November, 2018, this Notice of Dishonor was sent to Respondent by depositing said document with the USPS, Certified Mail No. 7017 0190 0000 4783 5109 with a Return Receipt Requested.

T E S T I M O N Y

In testimony of the above, I have hereunto signed my name as a Notary Public and a non-interested third-party witness.


Larry Kalmowitz
Notary Public
PO Box 6626
Tyler, Texas [75711]



Certified Mail #: **Certified Mail # 7015 0190 0000 4783 5109**

Notice date: **November 8, 2018**

Libellant: **Sybil-Joy: Ehninger High**
Service by and respond to:
c/o Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, Texas [75711]

LIBELLE: **ATT'N:**
Robert Q Reilly, CFO for PNC BANK NA
249 Fifth Avenue
The Tower at PNC Plaza, 21st Floor
Pittsburgh, PA 15222

Reference: **AFFIDAVIT OF TRUTH Acct 1000359149**

This instrument is a **Notice of Default in Dishonor** upon the instrument(s) tendered by the Libellant on or about October 11, 2018 with the U.S.P.S. Certified Mail Article No. # 7015 0640 0001 4856 4153 with a Return Receipt requested. The return receipt was received by the Respondent(s) on or about October 25, 2018 at the address referenced above.

PRESENTMENT: On **October 11, 2018**, Larry-Mark: Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 4153:

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 Three pages, legal sized, letter from Sybil-Joy:Ehninger High to PNC BANK, NA CFO Robert Q. Reilly
- 3 AFFIDAVIT OF PNC BANK NA ACCOUNT PAID IN FULL, 1 page letter sized
- 4 Hughes, Watters & Askanase LLP Notices, July 24, 2018; 14 pages, letter sized

On **October 27, 2018**, Larry Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 4078:

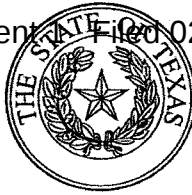
1. Notice of Dishonor and Opportunity to Cure

DISHONOR: By the terms and conditions of the agreement resulting by the LIBELLE'S disregard of the Presentments, the LIBELLE is under the duty and obligation to timely and in good faith protest and/or honor the contract by presentment within the allowed timeframe and to provide a timely rebuttal and / or an adjusted statement of account. The failure by LIBELLE to issue a timely response comprises their agreement with all of allegations of the LIBELLE'S misconduct set forth by the Libellant.

Allowing fourteen (14) days for the initial response, Libellant did not receive a satisfactory response. The Second Notice granted an additional ten (10) days for the opportunity to cure the dishonor. With the time allowed having passed for the LIBELLE to cure their dishonor, and the Notaries showing no record of rebuttal or response, the Libellant and third-party witnesses now deem the instrument(s) to have been dishonored on or around October 27, 2018, and the **Notice of Dishonor and Opportunity to Cure** to have been dishonored on November 8, 2018, thereby comprising a confession of judgment on the merits.

DEFAULT: For the LIBELLE'S failure to respond, the Respondent(s) are at **fault**. For the Respondent(s) failure, refusal, or neglect to respond to the verified presentment and to the **Notice of Dishonor and Opportunity to Cure**, LIBELLE thereby acquiesces and tacitly agrees with all terms, conditions, stipulations, obligations, and invoices set forth within the **AFFIDAVIT OF TRUTH Acct 1000359149**.

Of this presentment take due **Notice** and heed. Please govern yourself accordingly.



The State of Texas

Secretary of State

I, Rolando B. Pablos, Secretary of State of the State of Texas, DO HEREBY
CERTIFY that according to the records of this office,

LARRY KALMOWITZ

was commissioned as a Notary Public for the State of Texas on August 22,
2018, for a term ending on August 22, 2022.

Issued: November 19, 2018
Certificate Number 11642880



A handwritten signature in black ink, appearing to read "R. Pablos", written over a horizontal line.

Rolando B. Pablos
Secretary of State
GF/aw

IN WITNESS WHEREOF, I hereunto set my hand on this 8th day of November, 2018 and that the Libellant hereby affirms all of the statements made above are true, correct, complete, and are not misleading.

Autograph: Sybil Joy Ehninger High
Sybil-Joy: Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED / UCC 1-308

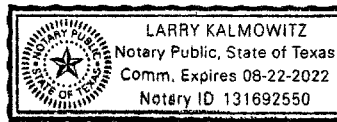
JURAT

State of Texas)
) ss.
County of Smith)

Sworn to (or affirmed) and subscribed before me on this **8th day of November 2018**, by

Sybil-Joy: Ehninger High proved to me on the basis of satisfactory evidence to be the one who
appeared before me.

[Signature]
Notary Public's Signature



MY COMMISSION EXPIRES: 08/22/2022

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

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On Time

Expected Delivery on

MONDAY

3 DECEMBER 2018 ⓘ by **8:00pm** ⓘ

 **Delivered**

December 3, 2018 at 9:33 am
Delivered
PITTSBURGH, PA 15265

Feedback

Tracking History



Product Information



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Go to our [FAQs](#) section to find answers to your tracking questions.

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about October 27th, 2018 the contents of Certified mail # 7015 0640 0001 4856 4078 as detailed on the NOTICE OF DISHONOR AND OPPORTUNITY TO CURE.

Respondent(s)

Robert Q Reilly, CFO for PNC BANK NA, 249 Fifth Avenue, One PNC Plaza, 21st Floor, Pittsburgh, PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, PO Box 6626, Tyler TX 75711.

NON-RESPONSE

Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about October 27th, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 4078 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.


Notary Public's Signature

MY COMMISSION EXPIRES: 08/22/2022

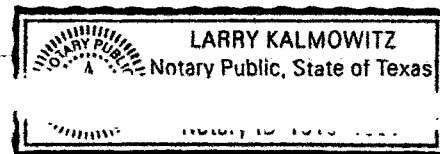
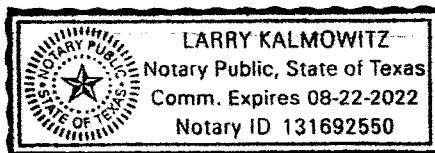
Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711

November 8th, 2018

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

This is a private communication between the parties.

Notice to agent is notice to principal. Notice to principal is notice to agent.

Date of Notice: **October 27, 2018**, Certified Mail # 7015 0640 0001 4856 4078

UNDERSIGNED

Sybil-Joy Ehninger High, c/o Larry Kalmowitz, Notary Public, **P.O. Box 6626 Tyler, TX 75711**

RESPONDENT(S)

Robert Q Reilly, CFO PNC BANK NA, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor,
Pittsburgh, PA 15222

In the matter of: **AFFIDAVIT OF TRUTH Acct 1000359149**

Dear **Robert Q Reilly**:

This instrument is a **NOTICE OF DISHONOR AND OPPORTUNITY TO CURE** upon the instrument(s) presented under notary seal by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler TX 75711 on or about **October 11, 2018** with the Certified Mail Number 7015 0640 0001 4856 4153, Return Receipt requested.

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 Three pages, legal sized, letter from Sybil-Joy:Ehninger High to PNC BANK, NA CFO Robert Q. Reilly
- 3 AFFIDAVIT OF PNC BANK NA ACCOUNT PAID IN FULL, 1 page letter sized
- 4 Hughes, Watters & Askanase LLP Notices, July 24, 2018, 14 pages, letter sized

DISHONOR

By the terms and conditions of the agreement resulting by the offer and acceptance of the presentment mailed October 11, 2018, the Respondent(s) are under the duty and obligation to timely and in good faith respond to the mailing within seven (7) days by executing a verified response point-by-point with evidence that is true, correct and complete, to be received by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, TX 75711. Allowing seven (7) days for the receipt of your response, and the time allowed having passed, and the Notary showing no record of response, UNDERSIGNED now deems the instrument(s) to have been dishonored on **October 27, 2018**, and therefore a confession of fault on the merits is warranted.

OPPORTUNITY TO CURE

For the failure of the RESPONDENT to reply, the UNDERSIGNED is placing the RESPONDENT(S) at fault. This presentment is the good faith offer by the UNDERSIGNED to grant an extension of time to the RESPONDENT(S) of an additional ten (10) days from the date of the postmark of this presentment. RESPONDENT(S) has ten (10) days from the date of this postmark to reply to the Notary at the address given above. For the RESPONDENT(S) failure, refusal, or neglect in the provision of a verified, timely, and complete response; as a sufficient verified response is defined below, to this NOTICE OF DISHONOR AND OPPORTUNITY TO CURE, RESPONDENT is consenting with the UNDERSIGNED'S entry of a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE upon the RESPONDENT(S). The issuance of this NOTICE verifying RESPONDENT(S) non-response, and RESPONDENT(S) acquiescence and tacit agreement with all terms, conditions and stipulations herein by **Larry Kalmowitz**, Notary.

RESPONSE

Only a response that meets the following criteria qualifies as a sufficient, timely and verified response:

1. Any response must be made via a sworn affidavit, verified and/or affirmed by a signature under the penalty of perjury, or by a signature under the full commercial liability, of the affiant(s) thereof; and
2. Any response must be made as a presentment to the Notary named above, **Larry Kalmowitz**, delivered to the above address **PO Box 6626, Tyler, TX 75711**, by Certified, or Registered Mail to ensure delivery and appropriate certification, and received by said Notary no later than ten (10) days from the postmark of this presentment. Service in any other manner will be defective on its face.

DEFAULT

Default conveys your agreement with all of the statements and facts set forth within the original mailing Certified mail #7015 0640 0001 4856 4153.

Of this presentment take due Notice and heed, and govern yourself accordingly.

IN WITNESS WHEREOF I hereunto set my hand and seal on this **October 27, 2018** and hereby certify all the statements made above are true, correct and complete.

Autograph : Sybil-Joy: Ehninger High (seal)
Sybil-Joy: Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED UCC 1-308

JURAT

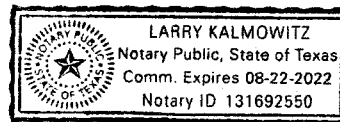
State of Texas)
) ss.
County of Smith)

Sworn to (or affirmed) and subscribed before me on this **27TH day of October 2018**, by **Sybil-Joy: Ehninger High** proved to me on the basis of satisfactory evidence to be the one who appeared before me.

[Signature]
Notary Public's Signature

October 27, 2018
Date

MY COMMISSION EXPIRES: 8/22/2022



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

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Track Another Package +

Tracking Number: 70150640000148564078

Remove X

On Time

Expected Delivery on

MONDAY

5 NOVEMBER
2018 ⓘ by
8:00pm ⓘ

 **Delivered**

November 5, 2018 at 10:08 am
Delivered, Individual Picked Up at Postal Facility
PITTSBURGH, PA 15219

Feedback

Tracking History



Product Information



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Go to our FAQs section to find answers to your tracking questions.

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
)
COUNTY OF SMITH) ss

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about **October 11th, 2018** the contents of Certified mail # 7015 0640 0001 4856 4153 as detailed on the NOTARY CERTIFICATE OF MAILING.

Respondent(s)

Robert Q Reilly, CFO for PNC BANK NA, 249 Fifth Avenue, One PNC Plaza, 21st Floor, Pittsburgh, PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, PO Box 6626, Tyler TX 75711.

NON-RESPONSE

Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about **October 11th, 2018**, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 4153 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.


Notary Public's Signature

MY COMMISSION EXPIRES: 8/22/2022

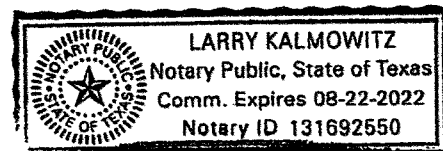
Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711

October 27th, 2018

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that these documents are being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this 11th day of October, 2018. These Documents are to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 4153, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222.

All responses are to be mailed within 7 days to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

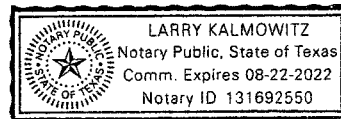
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- 3 AFFIDAVIT OF PNC BANK NA ACCOUNT PAID IN FULL, 1 page letter sized
- 4 Hughes, Watters & Askanase LLP Notices, July 24, 2018, 14 pages, letter sized

Requestor's Autograph: Sybil Joy: Ehninger High
By: Sybil-Joy: Ehninger High Authorized Representative
Principal for the SYBIL JOY EHNINGER HIGH ESTATE, UCC 3 -402
ALL RIGHTS RESERVED UCC 1-308

NOTARY SIGNATURE: Larry Kalmowitz

MY COMMISSION EXPIRES: 08-22-2022



Personally Known _____ Produced Identification ☒ Type of Identification DL

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

THIS IS A PRIVATE COMMUNICATION BETWEEN THE PARTIES
NOTICE TO AGENT IS NOTICE TO PRINCIPAL
NOTICE TO PRINCIPAL IS NOTICE TO AGENT

Affidavit of Truth

Notice by: Sybil-Joy: Ehninger-High,
Principal
c/o 7237 Retriever Lane
Fort Worth, Texas [76120]

Date of Notice: 10/11/2018

Notice for: PNC BANK, NA
CFO Robert Q Reilly
249 FIFTH AVE
ONE PNC PLAZA
21ST FLOOR
PITTSBURGH, PA 15222-2707

Service by: Certified Mail No:7015 0640 0001 4856 4153, with return receipt

In the matter of:
Account Number: 1000359149
Property: 7237 Retriever Lane, Fort Worth, Texas [76120]
Contract Date: 10/2/2012

I am in receipt of your letters dated 07/24/2018 and am returning them in this correspondence. I am returning these letters as I do not wish to contract with you.

Please find enclosed, the following documents:

1. AFFIDAVIT OF PNC BANK, NA ACCOUNT PAID IN FULL
2. Hughes, Watters & Askanase LLP original letters dated 07/24/2018

You are hereby notified that I have already tendered payment in full for the above referenced account, which was accepted by Robert Q Reilly, CFO of PNC BANK, NA to setoff, settle, and close the account. See enclosed affidavit detailing the history of payments made. Therefore, by his acceptance of these payments, Robert Q Reilly, CFO has entered into a valid and enforceable contract with me, received the benefits of the contract, and agreed to accept tendered payments.

The CFO is well aware of what to do with the documents I sent him, if the billing department is not aware of what to do with these documents that is not my concern. Your further attempts to collect on an account that has already been settled and paid in full, leads me to believe that you may be guilty of committing fraud via US mail and shall incur a liability of \$100,000 US Dollars. If your attempts to collect, or failing to credit the account by remittance was made by mistake or inadvertently, etc. then you are hereby notified of your error. Please adjust the account to reflect the parties agreement that the account was tendered payment and closed to avoid incurring any penalties or liabilities in the matter regarding the account number #1000359149.

Furthermore send proof of your claim:

1. Prove your claim that this loan is not already setoff, settled, and closed.
2. Please prove that the Robert Q Reilly, CFO did not receive and accept the payments detailed in my AFFIDAVIT OF PNC BANK NA ACCOUNT PAID IN FULL.

3. Please identify yourself by name, title, address, and your authority to talk to me about this matter. I need a name so I know who is accepting the liability of this mistake, and also stop sending me presentments without a signature. I sent tendered payment directly to Robert Q Reilly, CFO and not you. If you're unaware of this, you are now hereby notified. It is not my duty to educate you on public law, Uniform Commercial Codes, or explain documents that were sent to Robert Q Reilly, CFO.
4. Please prove that I do not have a document from PNC BANK, NA that the account is now paid in full. Prove that PNC BANK, NA did not send me this document.
5. Please prove that you have a lien on this property as the creditor, when I have a document from PNC BANK, NA saying that when I receive Release of Lien/Certificate of Satisfaction it will be because property no longer has a lien. Prove that PNC BANK, NA did not send me this document. How can there be a lien when you're no longer the creditor?
6. Please prove that I do not have "Release of Lien/Certificate of Satisfaction" to property in hand. Prove that I did not receive "Release of Lien/Certificate of Satisfaction" from your Title Management Department.
7. Please prove that mortgage is not paid in full. Prove that Robert Q Reilly, did not accept my tendered payment. If instruments were not returned that means they were accepted. Send proof of returned documents from Robert Q Reilly, CFO.
8. Please prove this account is satisfied and closed and in good standing. Please get your team in order and speak with Robert Q Reilly, CFO. Prove that Robert Q Reilly, did not accept my tendered payment.
9. Anyone trying to collect any further monies, payments, or debts on this closed account is operating outside of their duty and needs to cease and desist all illegal activities of trying to force my Estate to continue to deal with an account that has already tendered payment to Robert Q. Reilly. Prove that Robert Q. Reilly did not accept my tendered payments.
10. You are also required to cease and desist from contacting me on this and any related matters unless it for the purpose of informing me that you made a mistake and have information from Robert Q Reilly, CFO personally that he has in fact accepted my tendered payment.
11. The billing department for PNC BANK, NA is not who accepted the tendered payment, it was a presentment and contract sent directly to Robert Q. Reilly, CFO and I will only accept communication from Robert Q. Reilly, CFO who entered into a valid and enforceable contract with me. The billing department does not understand how to handle the presentment but the CFO does. Prove that the CFO does not know how to handle valid and enforceable contracts in regards to the remittance payments listed on my AFFIDAVIT.
12. Please prove that there was a defect with instruments to Robert Q Reilly, CFO as listed on my AFFIDAVIT.
13. Please prove that Robert Q Reilly, CFO returned the instruments within 10 days due to any type of defects, incorrect, incomplete, or inaccurate. A valid and enforceable contract exists and I do not consent to you getting involved with this contract. Please remove yourself and cease and desist any further harassment. The only person who needed to communicate with me about this issue was Robert Q Reilly, CFO and he has already accepted the contract.
14. Please prove that Robert Q Reilly, CFO has not already processed the remittance coupon to tender payment for account 1000359149.
15. Please prove you're still the creditor, since there have been multiple tendered payments to Robert Q Reilly, CFO for the account 1000359149.

16. Please prove how there could be a default under contract dated 10/2/2012, when Robert Q Reilly, CFO entered into a new valid and enforceable contract with me by accepting my presentments.

19. Please prove it is not house stealing if you illegally take or take possession of a house that now belongs to my Estate.

20. Let it be known that by stealing my private property due to your mistake, you will be billed \$500,000 and charged with felony larceny of a house stealing.

21. Please note you will not get any default judgments based on the information in this notice and based on the documents I have in my hands from PNC BANK, NA and further based on the fact the original mortgage loan from 10/2/2012 was changed when Robert Q Reilly, CFO entered into a new valid and enforceable contract with me detailed on the enclosed AFFIDAVIT, accepted by Robert Q Reilly, CFO. I am sure an Administrative clerk aka a Judge knows there are more ways to setoff, settle, discharge and tender payment other than Federal Reserve Notes. I will not enter into any further contracts with you. A judge will recognize the new valid and enforceable contract between Robert Q Reilly, CFO and my Estate.

22. Prove that you know what a Secured Party is, prove you know what a Secured Party Creditor is? Prove that you know UCC? Prove that you know there are more ways to setoff, settle, discharge and tender payment other than Federal Reserve Notes.

Your agency has seven (7) days from the delivery date of this "affidavit of truth" to respond on a point-by-point basis, via sworn affidavit, under personal and full commercial liability, signed under penalty of perjury that the facts contained in their response are true, correct, complete and not misleading, mere declarations are an insufficient response.

If I do not receive such a response conforming to the above criteria within seven (7) days from the delivery of this "notice", it will be deemed a tacit agreement by your silence that Robert Q Reilly, CFO has accepted my tendered payment and that your agency will submit notification of the correction in writing. Maxim of Law: A un-rebutted affidavit stands as Truth. Please send a letter for my records that the corrective actions have taken place.

NOTICE: THIS DOCUMENT IS NOT INTENDED TO THREATEN, HARASS, HINDER OR OBSTRUCT ANY LAWFUL OPERATIONS AND IS FOR THE PURPOSE OF OBTAINING LAWFUL REMEDY AS IS PROVIDED BY LAW.

By: Sybil Joy Ehninger-High
Sybil-Joy: Ehninger-High, Principal

State of Texas

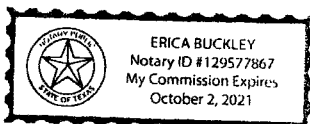
County of Tarrant

This instrument was acknowledged before me on October 11, 2018 by

Sybil Ehninger High

(Seal)

Erica Buckley
Notary Public's Signature



My Commission Expires: 10/2/21

AFFIDAVIT OF PNC BANK, N.A. ACCOUNT PAID IN FULL

As a resident in the county of TARRANT within the state of TEXAS
Sybil-Joy: Ehniger High personally approached me, the undersigned Notary, and
made her sworn testimony in a general affidavit, that the following statement is
completely factual and true to the best of her belief and knowledge.

Statement of Truth by Affiant:

1. On May 29, 2018 I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92, mailed via USPS RF220870050US to the CFO to pay the alleged balance on account #1000359149.
2. USPS RF220870050US was received by PNC Bank, N.A. on June 4, 2018.
3. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
4. On June 9, 2018 I mailed PNC Bank, N.A. a negotiable instrument for \$94,479.92 mailed via USPS RF220870134US to the CFO to pay the alleged balance on account #1000359149.
5. USPS RF220870134US was received by PNC Bank, N.A. on June 18, 2018.
6. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
7. On July 12, 2018, I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92 mailed via USPS RF220871038US to the CFO to pay the alleged balance on account #1000359149.
8. USPS RF220871038US was received by PNC Bank, N.A. on July 30, 2018.
9. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
10. On July 12, 2018, I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92 mailed via USPS Certified mail #7017 0530 0000 7874 0537 to the billing address to pay the alleged balance on account #1000359149.
11. USPS Certified Mail 7017 0530 0000 7874 0537 was received by PNC Bank, N.A. on August 6, 2018.
12. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.

This is my affidavit and public notice, sworn to under penalty of perjury.

Affiant Signature:

Sybil-Joy: Ehniger High

Date Signed:

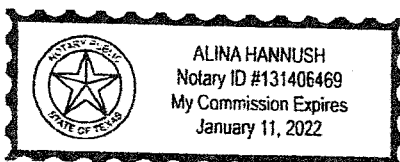
the 10th of September 20 18

Sworn and subscribed to before me on this day,

10 of September 20 18

Alina Hannush

Notary Public



Hughes Watters Askanase L.L.P.
P.O. Box 9064
Emecula, CA 92589-9064



9314 8100 1170 0965 9143 22

PRESORT
First-Class Mail
U.S. Postage and
Fees Paid
WSO

Send Correspondence to:
Hughes Watters Askanase L.L.P.
Total Plaza
1201 Louisiana 28th Floor
Houston, TX 77002

RETURN RECEIPT (ELECTRONIC)

20180726-227

7237 RETRIEVER LANE TRUST
7237 RETRIEVER LN
FORT WORTH, TX 76120-1629



HUGHES, WATTERS & ASKANASE, L.L.P.

ATTORNEYS AT LAW
1201 LOUISIANA, SUITE 2800
HOUSTON, TEXAS 77002
TELEPHONE: (713) 759-0818
FACSIMILE: (713) 759-6834

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

July 24, 2018

7237 RETRIEVER LANE TRUST
7237 RETRIEVER LANE
FORT WORTH, TX 76120

Re: Property Address: 7237 RETRIEVER LN., FORT WORTH, TX 76120 ('Property')

Enclosed is a courtesy copy of the Notice of the Substitute Trustee's Sale relative to the Property.

Sincerely,

HUGHES, WATTERS & ASKANASE, L.L.P.
FORECLOSURE DEPARTMENT

VIA U.S. FIRST CLASS MAIL AND
CERTIFIED MAIL RETURN
RECEIPT REQUESTED



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

TARRANT County

Deed of Trust Dated: October 2, 2012

Amount: \$112,375.00

Grantor(s): RONALD S HIGH and SYBIL EHNINGER

Original Mortgagee: ROUNDPOINT MORTGAGE COMPANY, A FLORIDA CORPORATION

Current Mortgagee: PNC BANK, NATIONAL ASSOCIATION

Mortgage Address: PNC BANK, NATIONAL ASSOCIATION, 3232 Newmark Drive, Miamisburg, OH 45342

Recording Information: Document No. D212251637

Legal Description: LOT 9, BLOCK 6, MALLARD COVE, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 8009, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS.

Date of Sale: September 4, 2018 between the hours of 1:00 PM and 4:00 PM.

Earliest Time Sale Will Begin: 1:00 PM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the TARRANT County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

BRETT BAUGH ORWENDY LAMBERT, AARON PARKER, KENNY SHIREY, RICK MONTGOMERY, PHILLIP PIERCEALL, CRAIG MUIRHEAD, CLAY GOLDEN, MARK BULEZIUK, FREDERICK BRITTON, BRENT GRAVES, DOUG RODGERS, RICK KIGAR, JOHN BEAZLEY, DAVID STOCKMAN, DONNA STOCKMAN, GUY WIGGS, BRENDA WIGGS, DENISE BOERNER, TIM LEWIS, MICHELLE SCHWARTZ, JOHN PHILLIP MARQUEZ OR KATHY ARRINGTON have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

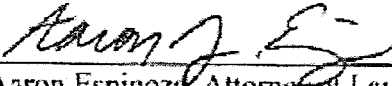
If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



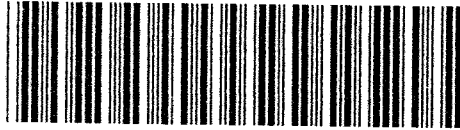

Aaron Espinoza, Attorney at Law

Hughes, WATTERS & Askanase, L.L.P.
1201 LOUISIANA, SUITE 2800
Houston, TEXAS 77002
Reference: 2018-004142

BRETT BAUGH OR WENDY LAMBERT, AARON PARKER,
KENNY SHIREY, RICK MONTGOMERY, PHILLIP PIERCEALL,
CRAIG MUIRHEAD, CLAY GOLDEN, MARK BULEZIUK,
FREDERICK BRITTON, BRENT GRAVES, DOUG RODGERS,
RICK KIGAR, JOHN BEAZLEY, DAVID STOCKMAN, DONNA
STOCKMAN, GUY WIGGS, BRENDA WIGGS, DENISE
BOERNER, TIM LEWIS, MICHELLE SCHWARTZ, JOHN PHILLIP
MARQUEZ OR KATHY ARRINGTON
c/o Auction.com, LLC
1 Mauchly
Irvine, California 92618



Hughes Watters Askanase L.L.P.
PO Box 9064
Temecula, CA 92589-9064

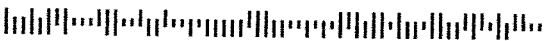


2335170475

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Fees Paid
WSO

Send Correspondence to:
Hughes Watters Askanase L.L.P.
Total Plaza
1201 Louisiana 28th Floor
Houston, TX 77002

20180726-227


RONALD S HIGH
7237 RETRIEVER LN
FORT WORTH, TX 76120-1629



HUGHES, WATTERS & ASKANASE, L.L.P.

ATTORNEYS AT LAW
1201 LOUISIANA, SUITE 2800
HOUSTON, TEXAS 77002
TELEPHONE: (713) 759-0818
FACSIMILE: (713) 759-6834

**NOTICE OF MATURITY/ACCELERATION OF TEXAS RECOURSE LOAN AND
ENCLOSING NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

July 24, 2018

RONALD S HIGH
7237 RETRIEVER LN.
FORT WORTH, TX 76120

Re: File No: 2018-004142

Property Address: 7237 RETRIEVER LN. FORT WORTH, TX 76120

**THIS IS AN ATTEMPT BY A DEBT COLLECTOR TO COLLECT A CONSUMER DEBT
AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

1. The undersigned represents PNC BANK, NATIONAL ASSOCIATION (sometimes referred to as 'client'), the owner and/or holder and/or mortgage servicer for the owner and/or holder with regard to the note ('Note'), dated October 2, 2012, secured by the Deed of Trust ("Deed of Trust") encumbering the Property, dated October 2, 2012 the Note and Deed of Trust being collectively referred to as the ("Loan") and is authorized to deliver this letter on its behalf.

2. Our client has informed us that despite the sending of written notice of default and notice of intent to accelerate the maturity of the Loan, the default was not timely cured. As a consequence, our Client hereby accelerates the maturity of the Loan, and declares the entire balance of the Loan due and payable in full

3. In accordance with Section 51.002(b) of the Texas Property Code, enclosed is a copy of the Notice of the Substitute Trustee's Sale that advises the foreclosure sale of the Property authorized by the Deed of Trust will take place on September 4, 2018, at the place designated by the TARRANT County Commissioners Court pursuant to Section 51.002, and the Property will be sold to the highest bidder for cash. The foreclosure sale will be conducted between the hours of 1:00 PM and 4:00 PM. **The earliest time the foreclosure sale will begin will be 1:00 PM.**

4. The amount necessary prevent this foreclosure sale may be determined by contacting: the firm's Foreclosure Department at the within stated address or by telephone at 713.759.0818. Payment must be in certified funds or other form of payment acceptable to our client.

5. A debtor who is serving on active military duty may have special rights or relief related



to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

6. Except as otherwise set out herein under Texas law and the terms of the applicable Loan documents, you may be liable for any deficiency owing on the Loan after the foreclosure sale.

7. This letter constitutes notice required by law and the terms of the applicable Loan documents. To the extent that you have received a discharge in bankruptcy of the Loan and the Loan was not reaffirmed and/or you are not an obligor on the debt secured by the Loan, this notice does not constitute an attempt to collect a debt from you personally and/or in violation of the discharge injunction of 11 U.S.C. § 523, but rather serves as notice that our client is exercising its in rem rights only (the right to enforce the lien on the property securing the debt) under applicable law. If you receive this notice and you are not a debtor, this notice is for informational purposes only.

Sincerely,

HUGHES, WATTERS & ASKANASE, L.L.P.

VIA U.S. FIRST CLASS MAIL AND
CERTIFIED MAIL RETURN
RECEIPT REQUESTED



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

TARRANT County

Deed of Trust Dated: October 2, 2012

Amount: \$112,375.00

Grantor(s): RONALD S HIGH and SYBIL EHNINGER

Original Mortgagee: ROUNDPOINT MORTGAGE COMPANY, A FLORIDA CORPORATION

Current Mortgagee: PNC BANK, NATIONAL ASSOCIATION

Mortgagee Address: PNC BANK, NATIONAL ASSOCIATION, 3232 Newmark Drive, Miamisburg, OH 45342

Recording Information: Document No. D212251637

Legal Description: LOT 9, BLOCK 6, MALLARD COVE, AN ADDITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 8009, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS.

Date of Sale: September 4, 2018 between the hours of 1:00 PM and 4:00 PM.

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BRETT BAUGH ORWENDY LAMBERT, AARON PARKER, KENNY SHIREY, RICK MONTGOMERY, PHILLIP PIERCEALL, CRAIG MUIRHEAD, CLAY GOLDEN, MARK BULEZIUK, FREDERICK BRITTON, BRENT GRAVES, DOUG RODGERS, RICK KIGAR, JOHN BEAZLEY, DAVID STOCKMAN, DONNA STOCKMAN, GUY WIGGS, BRENDA WIGGS, DENISE BOERNER, TIM LEWIS, MICHELLE SCHWARTZ, JOHN PHILLIP MARQUEZ OR KATHY ARRINGTON have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

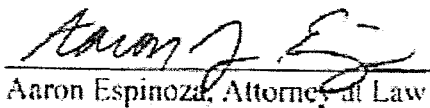
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THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.




Aaron Espinoza, Attorney at Law

Hughes, Watters & Askanase, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-004142

BRETT BAUGH OR WENDY LAMBERT, AARON PARKER,
KENNY SHIREY, RICK MONTGOMERY, PHILLIP PIERCEALL,
CRAIG MUIRHEAD, CLAY GOLDEN, MARK BULEZIUK,
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Irvine, California 92618



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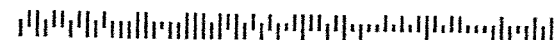


2335170474

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Send Correspondence to:
Hughes Watters Askanase L.L.P.
Total Plaza
1201 Louisiana 28th Floor
Houston, TX 77002

20180726-227



SYBIL EHNINGER
7237 RETRIEVER LN
FORT WORTH, TX 76120-1629



HUGHES, WATTERS & ASKANASE, L.L.P.

ATTORNEYS AT LAW
1201 LOUISIANA, SUITE 2800
HOUSTON, TEXAS 77002
TELEPHONE: (713) 759-0818
FACSIMILE: (713) 759-6834

**NOTICE OF MATURITY/ACCELERATION OF TEXAS RECOURSE LOAN AND
ENCLOSING NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

July 24, 2018

SYBIL EHNINGER
7237 RETRIEVER LN.
FORT WORTH, TX 76120

Re: File No: 2018-004142

Property Address: 7237 RETRIEVER LN. FORT WORTH, TX 76120

**THIS IS AN ATTEMPT BY A DEBT COLLECTOR TO COLLECT A CONSUMER DEBT
AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

1. The undersigned represents PNC BANK, NATIONAL ASSOCIATION (sometimes referred to as 'client'), the owner and/or holder and/or mortgage servicer for the owner and/or holder with regard to the note ('Note'), dated October 2, 2012, secured by the Deed of Trust ("Deed of Trust") encumbering the Property, dated October 2, 2012 the Note and Deed of Trust being collectively referred to as the ("Loan") and is authorized to deliver this letter on its behalf.

2. Our client has informed us that despite the sending of written notice of default and notice of intent to accelerate the maturity of the Loan, the default was not timely cured. As a consequence, our Client hereby accelerates the maturity of the Loan, and declares the entire balance of the Loan due and payable in full

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VIA U.S. FIRST CLASS MAIL AND
CERTIFIED MAIL RETURN
RECEIPT REQUESTED



NOTICE OF SUBSTITUTE TRUSTEE'S SALE

TARRANT County

Deed of Trust Dated: October 2, 2012

Amount: \$112,375.00

Grantor(s): RONALD S HIGH and SYBIL EHNINGER

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Current Mortgagee: PNC BANK, NATIONAL ASSOCIATION

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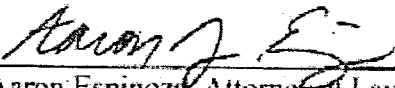
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Aaron Espinoza, Attorney at Law

Hughes, Watters & Askanase, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-004142

BRETT BAUGH OR WENDY LAMBERT, AARON PARKER,
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BOERNER, TIM LEWIS, MICHELLE SCHWARTZ, JOHN PHILLIP
MARQUEZ OR KATHY ARRINGTON
c/o Auction.com, LLC
I Mauchly
Irvine, California 92618



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert Q Reilly
CFO for PNC Bank NA
2495th Avenue
Tower at PNC Plaza 21 Floor
Pittsburgh PA 15222



9590 9402 3614 7305 6854 64

2. Article Number (Transfer from service label)

7015 0640 0001 4856 4153

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
☐ Mail Restricted Delivery (00)
- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To
PNC Bank NA

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Postmark
HerePNC
DTSS
Affidavit

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about December 21st, 2018 the contents of Certified mail # 7015 0640 0001 4856 7437 as detailed on the NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE, AND NOTICE OF INTENT TO SUE.

Respondent(s)

Robert O. Reilly, CFO for PNC BANK, NA, 249 5th Ave The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE

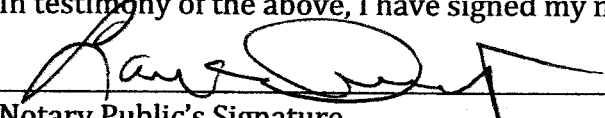
Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

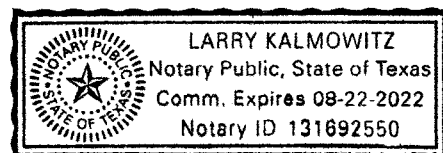
The undersigned Notary certifies that on or about December 21st, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 7437 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.


Notary Public's Signature
MY COMMISSION EXPIRES: 08-22-2022
Larry Kalmowitz, Notary Public
c/o PO Box 6626
Tyler, TX 75711

January 14th, 2019
Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that this document is being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this **21st day of December, 2018**. This documents is to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 7437, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222 Via Registered Agent CORPORATION SERVICE CO dba CSC LAWYERS INCORPORATING SERVICE COMPANY 211 E 7th Street Suite 620 Austin, TX 78701-3218.

All responses are to be mailed within 5 business days to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE AND NOTICE OF INTENT TO SUE

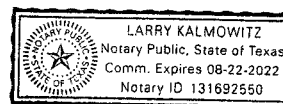
PNC BANK NA / CFO Robert Q Reilly (applicable to all successors and assigns) has (5) five business days from receipt of this "NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE" to respond to the original Letter entitled "NOTICE OF ACCEPTANCE Acct 1000359149, Affidavit of Account Paid in Full, Notice to Set Off Accounts, and UCC 3-603" mailed to you on September 20, 2018 via USPO Certified mail # 7015 0640 0001 4856 3958 in its totality under terms and conditions set forth therein or otherwise be advised that upon FINAL DEFAULT, PNC BANK NA irrevocably waives all notices, presentments, process, claims and defenses and agrees to be irrevocably bound to the terms, conditions, stipulations, obligations and invoices set forth in the letter "NOTICE OF ACCEPTANCE Acct 1000359149, Affidavit of Account Paid in Full, Notice to Set Off Accounts, and UCC 3-603."

SWORN TO and subscribed on and **IN WITNESS WHEREOF** this 21st day of December, 2018.

By: Sybil Ehninger High
As: Real Party in Interest

NOTARY SIGNATURE: Larry Kalmowitz

MY COMMISSION EXPIRES: 08-22-2022



Personally Known _____ Produced Identification ☒ Type of Identification DL

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Corporation Service Co
211 E 7th Street
Suite 620
Austin TX 78701-3218

Reg Agent for
PNC



9590 9402 3613 7305 1609 31

2. Article Number (Transfer from service label)

7015 0640 0001 4856 7437

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Kyle Ratzlaff

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

DEC 31 2018

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If Yes, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
(0)

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7015 0640 0001 4856 7437

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE	
Certified Mail Fee \$ Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Adult Signature Required \$ <input type="checkbox"/> Adult Signature Restricted Delivery \$	Postmark Here
Postage \$ Total Postage and Fees \$	
Sent To Corporation Service Co 211 E 7th Street Suite 620 Austin TX 78701-3218	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Republic of Texas

**NOTARY CERTIFICATE OF
DISHONOR AND NON-
RESPONSE**

)
)
)
) SS

Smith County

)
)

P R E S E N T M E N T

Be it known, that a duly empowered Notary Public, in and for the STATE OF TEXAS, COUNTY OF SMITH, a third party and not a party to the matter, at the request of Principal / Secured Party, did present on October 9, 2018, a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE pursuant to international commercial law listed within the Notary Certificate of Service via Certified Mail with a Return Receipt to:

ATT'N: CFO for
PNC BANK NA
249 FIFTH AVENUE
THE TOWER AT PNC PLAZA, 21ST FLOOR
PITTSBURGH, PA 15222
Respondent / LIBELLE

The Secured Party sent a Notice requiring Respondent / LIBELLE to issue a timely rebuttal regarding the allegations in Claim No. 7015 0640 0001 4856 3958, and the time limit has elapsed, constituting acceptance by Respondent / LIBELLE thereof instead of providing a timely response / rebuttal to the allegations of the Secured Party. An un rebutted Affidavit stands as the judgment in commerce.

P R O T E S T

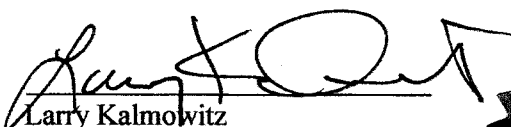
Whereupon, the Notary Public signing below, for the purpose and reason of Dishonor and Non-Response, does publicly and solemnly certify the dishonor as against all parties it may concern for liability equivalent to the face value of the instrument and the claim of the debt, and all costs, late fees, damages and interest incurred, or hereafter incurred, by reason of non-performance thereof and stipulations therein.

N O T I C E

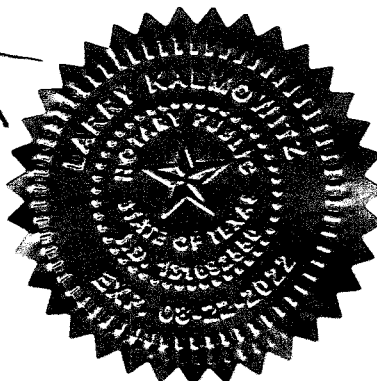
The undersigned Notary Public certifies that on the 22nd day of October, 2018, this Notice of Dishonor was sent to Respondent by depositing said document with the USPS, Certified Mail No. 7015 0640 0001 4856 4061 with a Return Receipt Requested.

T E S T I M O N Y

In testimony of the above, I have hereunto signed my name as a Notary Public and a non-interested third-party witness.


Larry Kalmowitz

Notary Public
PO Box 6626
Tyler, Texas [75711]



NOTICE OF DEFAULT IN DISHONOR

Certified Mail #: **Certified Mail # 7015 0640 0001 4856 4061**

Notice date: **October 22, 2018**

Libellant: **Sybil-Joy: Ehninger High**
Service by and respond to:
c/o Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, Texas [75711]

LIBELLE: **ATTN:**
Robert Q Reilly, CFO for PNC BANK NA
249 Fifth Avenue
The Tower at PNC Plaza, 21st Floor
Pittsburgh, PA 15222

Reference: **NOTICE OF ACCEPTANCE Acct 1000359149**

This instrument is a **Notice of Default in Dishonor** upon the instrument(s) tendered by the Libellant on or about September 20, 2018 with the U.S.P.S. Certified Mail Article No. # 7015 0640 0001 4856 3958 with a Return Receipt requested. The return receipt was received by the Respondent(s) on or about September 25, 2018 at the address referenced above.

PRESENTMENT: On **September 20, 2018**, Larry-Mark: Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 3958:

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger High to PNC BANK, NA CFO Robert Q. Reilly
- 3 Affidavit of PNC BANK, N.A. Account Paid in Full, one page
- 4 Notice to Set Off Accounts dated July 12, 2018, three pages
- 5 UCC 3-603 Tender of Payment, one page

On **October 9, 2018**, Larry Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 9189:

1. Notice of Dishonor and Opportunity to Cure

DISHONOR: By the terms and conditions of the agreement resulting by the LIBELLE'S disregard of the Presentments, the LIBELLE is under the duty and obligation to timely and in good faith protest and/or honor the contract by presentment within the allowed timeframe and to provide a timely rebuttal and / or an adjusted statement of account. The failure by LIBELLE to issue a timely response comprises their agreement with all of allegations of the LIBELLE'S misconduct set forth by the Libellant.

Allowing fourteen (14) days for the initial response, Libellant did not receive a satisfactory response. The Second Notice granted an additional ten (10) days for the opportunity to cure the dishonor. With the time allowed having passed for the LIBELLE to cure their dishonor, and the Notaries showing no record of rebuttal or response, the Libellant and third-party witnesses now deem the instrument(s) to have been dishonored on or around October 9, 2018, and the **Notice of Dishonor and Opportunity to Cure** to have been dishonored on October 22, 2018, thereby comprising a confession of judgment on the merits.

DEFAULT: For the LIBELLE'S failure to respond, the Respondent(s) are at **fault**. For the Respondent(s) failure, refusal, or neglect to respond to the verified presentment and to the **Notice of Dishonor and Opportunity to Cure**, LIBELLE thereby acquiesces and tacitly agrees with all terms, conditions, stipulations, obligations, and invoices set forth within the **NOTICE OF ACCEPTANCE Acct 1000359149**.

Of this presentment take due **Notice** and heed. Please govern yourself accordingly.



The State of Texas

Secretary of State

I, Rolando B. Pablos, Secretary of State of the State of Texas, DO HEREBY
CERTIFY that according to the records of this office,

LARRY KALMOWITZ

was commissioned as a Notary Public for the State of Texas on August 22,
2018, for a term ending on August 22, 2022.

Issued: November 19, 2018
Certificate Number 11642881



A handwritten signature in black ink, appearing to read "R. Pablos", written over a horizontal line.

Rolando B. Pablos
Secretary of State
GF/aw

IN WITNESS WHEREOF, I hereunto set my hand on this 22nd day of October, 2018 and that the Libellant hereby affirms all of the statements made above are true, correct, complete, and are not misleading.

Autograph: Sybil Joy: Ehninger High
Sybil-Joy: Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED / UCC 1-308

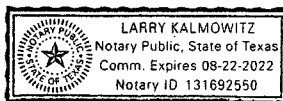
JURAT

State of Texas)
) ss.
County of Smith)

Sworn to (or affirmed) and subscribed before me on this 22nd day of October 2018, by

Sybil-Joy: Ehninger High proved to me on the basis of satisfactory evidence to be the one who
appeared before me.

[Signature]
Notary Public's Signature



MY COMMISSION EXPIRES: 08-22-2022

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

PNC BANK NA
CFO Robert A Reilly
249 Fifth Avenue
The Tower at PNC Plaza 21st
Pittsburgh PA 15222 Floor



9590 9402 4090 8092 7921 78

2. Article Number (Transfer from service label)

7015 0640 0001 4856 4061

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail
☐ Mail Restricted Delivery
- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7015 0640 0001 4856 4061

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Adult Signature Required \$ <input type="checkbox"/> Adult Signature Restricted Delivery \$	Postage \$ Total Postage and Fees \$
Sent PNC BANK NA Street and Apt. No., or PO Box No. City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark
Here
Cert of
Delivery
acceptance

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about **October 9th, 2018** the contents of Certified mail # 7015 0640 0001 4856 9189 as detailed on the NOTICE OF DISHONOR AND OPPORTUNITY TO CURE.

Respondent(s)

Robert Q. Reilly, CFO for PNC BANK, NA, 249 5th Ave The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE


Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about **October 9th, 2018**, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 9189 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.



Notary Public's Signature

October 22nd, 2018

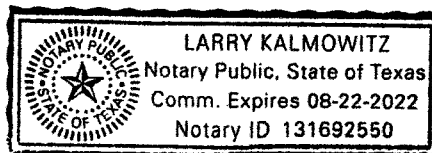
Date

MY COMMISSION EXPIRES: 08-22-2022

Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

This is a private communication between the parties.

Notice to agent is notice to principal. Notice to principal is notice to agent.

Date of Notice: **October 9, 2018**, Certified Mail # 7015 0640 0001 4856 9189

UNDERSIGNED

Sybil Joy: Ehninger High, c/o Larry Kalmowitz, Notary Public, **P.O. Box 6626 Tyler, TX 75711**

RESPONDENT(S)

Robert Q Reilly, CFO PNC BANK NA, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222

In the matter of: **NOTICE OF ACCEPTANCE Acct 1000359149**

Dear **Robert Q Reilly**:

This instrument is a **NOTICE OF DISHONOR AND OPPORTUNITY TO CURE** upon the instrument(s) presented under notary seal by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler TX 75711 on or about **September 20, 2018** with the Certified Mail Number 7015 0640 0001 4856 3958, Return Receipt requested.

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger High to PNC BANK, NA CFO Robert Q. Reilly
- 3 Affidavit of PNC BANK, N.A. Account Paid in Full, one page
- 4 Notice to Set Off Accounts dated July 12, 2018, three pages
- 5 UCC 3-603 Tender of Payment, one page

DISHONOR

By the terms and conditions of the agreement resulting by the offer and acceptance of the presentment mailed September 20, 2018, the Respondent(s) are under the duty and obligation to timely and in good faith respond to the mailing within fourteen (14) days by executing a verified response point-by-point with evidence that is true, correct and complete, to be received by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, TX 75711. Allowing fourteen (14) days for the receipt of your response, and the time allowed having passed, and the Notary showing no record of response, UNDERSIGNED now deems the instrument(s) to have been dishonored on **October 9, 2018**, and therefore a confession of fault on the merits is warranted.

OPPORTUNITY TO CURE

For the failure of the RESPONDENT to reply, the UNDERSIGNED is placing the RESPONDENT(S) at fault. This presentment is the good faith offer by the UNDERSIGNED to grant an extension of time to the RESPONDENT(S) of an additional ten (10) days from the date of the postmark of this presentment. RESPONDENT(S) has ten (10) days from the date of this postmark to reply to the Notary at the address given above. For the RESPONDENT(S) failure, refusal, or neglect in the provision of a verified, timely, and complete response; as a sufficient verified response is defined below, to this NOTICE OF DISHONOR AND OPPORTUNITY TO CURE, RESPONDENT is consenting with the UNDERSIGNED'S entry of a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE upon the RESPONDENT(S). The issuance of this NOTICE verifying RESPONDENT(S) non-response, and RESPONDENT(S) acquiescence and tacit agreement with all terms, conditions and stipulations herein by **Larry Kalmowitz**, Notary.

RESPONSE

Only a response that meets the following criteria qualifies as a sufficient, timely and verified response:

1. Any response must be made via a sworn affidavit, verified and/or affirmed by a signature under the penalty of perjury, or by a signature under the full commercial liability, of the affiant(s) thereof; and
2. Any response must be made as a presentment to the Notary named above, **Larry Kalmowitz**, delivered to the above address **PO Box 6626, Tyler, TX 75711**, by Certified, or Registered Mail to ensure delivery and appropriate certification, and received by said Notary no later than ten (10) days from the postmark of this presentment. Service in any other manner will be defective on its face.

DEFAULT

Default conveys your agreement with all of the statements and facts set forth within the original mailing Certified mail #7015 0640 0001 4856 3958.

IN WITNESS WHEREOF I hereunto set my hand and seal on this October 9, 2018 and hereby certify all the statements made above are true, correct and complete.

Autograph: Sybil Joy Ehninger High (seal)
Sybil Joy Ehninger High, Executive,
Executive Trustee for the Private Trust
known as SYBIL JOY EHNINGER HIGH TRUST
ALL RIGHTS RESERVED UCC 1-308

JURAT

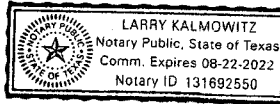
State of Texas)
County of Smith) ss.

Sworn to (or affirmed) and subscribed before me on this 9TH day of October 2018, by Sybil Joy Ehninger High proved to me on the basis of satisfactory evidence to be the one who appeared before me.

[Signature]
Notary Public's Signature


October 9, 2018
Date

MY COMMISSION EXPIRES: 08/22/2022



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: PNC Bank NA CFO Robert A Reilly 249 Fifth Avenue The Tower at PNC Plaza 21st Floor Pittsburgh PA 15222</p> <div style="text-align: center;">  9590 9402 3614 7305 6854 57 </div> <p>2. Article Number (Transfer from service label) 7015 0640 0001 4856 9189</p>	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) PNC BANK C. Date of Delivery 03/15/2019</p> <p>D. Is delivery address different from item 1? No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail Restricted Delivery</p>
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

7015 0640 0001 4856 9189

<p>U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i></p> <p>For delivery information, visit our website at www.usps.com</p> <p style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">OFFICIAL USE</p> <p>Certified Mail Fee \$ _____</p> <p>Extra Services & Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$ _____</p> <p><input type="checkbox"/> Return Receipt (electronic) \$ _____</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$ _____</p> <p><input type="checkbox"/> Adult Signature Required \$ _____</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$ _____</p> <p>Postage \$ _____</p> <p>Total Postage and Fees \$ _____</p>	<p>Postmark Here</p>
<p>PNC BANK NA CFO Robert A Reilly 249 Fifth Avenue 21st Floor Pittsburgh PA 15222</p> <p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>	

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about September 20th, 2018 the contents of Certified mail # 7015 0640 0001 4856 3958 as detailed on the NOTARY CERTIFICATE OF MAILING.

Respondent(s)

Robert Q Reilly, CFO for PNC BANK NA, 249 Fifth Avenue, One PNC Plaza, 21st Floor, Pittsburgh, PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, PO Box 6626, Tyler TX 75711.

NON-RESPONSE


Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about September 20th, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 3958 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.

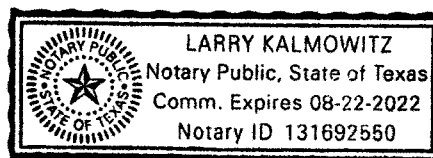


Notary Public's Signature

October 9th, 2018
Date

MY COMMISSION EXPIRES: 08/22/2022

Larry Kalmowitz, Notary Public
c/o PO Box 6626
Tyler, TX 75711



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that these documents are being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this 20th day of September, 2018. These Documents are to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 3958, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222.

All responses are to be mailed to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

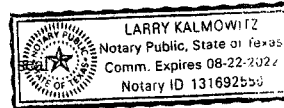
List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger High to PNC BANK, NA CFO Robert Q. Reilly
- 3 Affidavit of PNC BANK, N.A. Account Paid in Full, one page
- 4 Notice to Set Off Accounts dated July 12, 2018, three pages
- 5 UCC 3-603 Tender of Payment, one page

Requestor's Autograph: Sybil-Joy: Ehninger High
By: Sybil-Joy: Ehninger High Authorized Representative
Principal for the SYBIL JOY EHNINGER HIGH ESTATE, UCC 3 -402
ALL RIGHTS RESERVED, "WITHOUT PREJUDICE" UCC 1-308

NOTARY SIGNATURE: [Signature]


MY COMMISSION EXPIRES: 8/22/2022



Personally Known _____ Produced Identification DL Type of Identification _____

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X</p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>PNC BANK NA CFO Robert Q Reilly 249 Fifth Avenue The Tower at PNC Plaza 21st Floor Pittsburgh PA 15222</p>  <p>9590 9402 3070 7124 7712 34</p>		<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0001 4856 3958</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>		<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>	

7015 0640 0001 4856 3958

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
<p>Certified Mail Fee \$</p> <p>Extra Services & Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p> <p>Postage \$</p> <p>Total Postage and Fees \$</p>	<p>NP Affiant + Acceptance 9/25 del</p>
<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>	

PNC BANK NA 249 Fifth Ave
 Street and Apt. No., or PO Box No.
 Pittsburgh PA 15222
 Tower @ 21st Floor

Notice of Acceptance

September 20, 2018

From:

Sybil Joy Ehninger High
7237 Retriever Lane
Fort Worth, TX 76120

To:

PNC BANK, N.A.
CFO Robert Q Reilly
249 Fifth Avenue
One PNC Plaza
21st Floor
Pittsburgh, PA 15222-2707

I, Sybil Joy Ehninger High, in my private capacity, of sound mind, and over the age of majority, mailed 4 negotiable instruments to PNC BANK, N.A. to satisfy and settle any alleged balance owed on account #1000359149 as detailed in the attached AFFIDAVIT OF PNC BANK, N.A. ACCOUNT PAID IN FULL.

I am in acceptance of you receiving these negotiable instruments, furthermore keeping these negotiable instruments; and according to UCC 3-603 (attached), and HJR 192 (June 5, 1933), this account #1000359149 has been settled in full. The property commonly known as 7237 Retriever Lane, Fort Worth TX 76120 is free of any claims by PNC BANK, N.A. and any other person(s) or entity(ies) coming forth with any thought to further intrude upon or encumber the property.

PNC BANK, N.A. has 14 days to provide an updated Statement of Account showing a zero balance, and also to mail a release of lien document to the public notary address below:

Larry Kalmowitz, Public Notary
PO Box 6626
Tyler, TX 75711

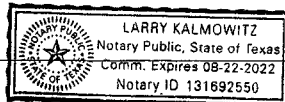
Enclosures:
AFFIDAVIT OF PNC BANK, N.A. ACCOUNT PAID IN FULL
NOTICE TO SET OFF ACCOUNTS dated July 12, 2018
UCC 3-603 Tender of Payment

By: Sybil Joy Ehninger High
Name: Ehninger High, Sybil Joy
Title: Office of the Executrix

State of Texas

County of Smith

This instrument was acknowledged before me on 9/20/2018 (date) by Sybil Ehninger High

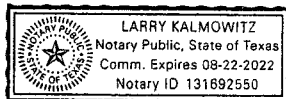


(Seal)

[Signature]

Notary Public's Signature

My Commission Expires 8/22/2022



AFFIDAVIT OF PNC BANK, N.A. ACCOUNT PAID IN FULL

As a resident in the county of TARRANT within the state of TEXAS,
Sybil-Joy: Ehninger High personally approached me, the undersigned Notary, and
made her sworn testimony in a general affidavit, that the following statement is
completely factual and true to the best of her belief and knowledge.

Statement of Truth by Affiant:

1. On May 29, 2018 I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92, mailed via USPS RF220870050US to the CFO to pay the alleged balance on account #1000359149.
2. USPS RF220870050US was received by PNC Bank, N.A. on June 4, 2018.
3. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
4. On June 9, 2018 I mailed PNC Bank, N.A. a negotiable instrument for \$94,479.92 mailed via USPS RF220870134US to the CFO to pay the alleged balance on account #1000359149.
5. USPS RF220870134US was received by PNC Bank, N.A. on June 18, 2018.
6. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
7. On July 12, 2018, I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92 mailed via USPS RF220871038US to the CFO to pay the alleged balance on account #1000359149.
8. USPS RF220871038US was received by PNC Bank, N.A. on July 30, 2018.
9. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.
10. On July 12, 2018, I mailed PNC BANK, N.A. a negotiable instrument for \$94,479.92 mailed via USPS Certified mail #7017 0530 0000 7874 0537 to the billing address to pay the alleged balance on account #1000359149.
11. USPS Certified Mail 7017 0530 0000 7874 0537 was received by PNC Bank, N.A. on August 6, 2018.
12. PNC Bank, N.A. kept the negotiable instrument, yet did not honor the payment.

This is my affidavit and public notice, sworn to under penalty of perjury.

Affiant Signature:

Sybil-Joy: Ehninger High

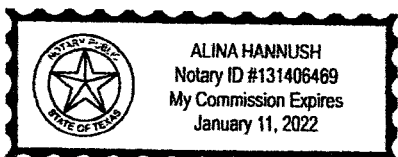
Date Signed:

the 10th of September 20 18

Sworn and subscribed to before me on this day,

10 of September 20 18

Alina Hannush
Notary Public



**THIS IS A PRIVATE COMMUNICATION BETWEEN THE PARTIES
NOTICE TO AGENT IS NOTICE TO PRINCIPAL, NOTICE TO PRINCIPAL IS NOTICE TO AGENT**

NOTICE TO SETOFF ACCOUNTS

Notice by: Sybil-Joy: Ehninger, Principal
c/o 7237 Retriever Lane
Fort Worth, Texas

Date of Notice: 07/12/2018

Notice for: Robert Q Reilly
PNC BANK, NA
222 DELAWARE AVE
WILMINGTON, DE 19899

Service by: Registered Mail No. RF220871038US, with return receipt

In the matter of: Enclosed tender for setoff

Please find enclosed, the following instruments:

1. Original Autographed Negotiable Instrument
2. Copy of PNC BANK, NA statement dated 05/10/2018
3. Original IRS Form 1099-A
4. Original IRS Form 1096
5. Copy of IRS Form 56
6. Copy of Affidavit of Ownership
7. Copy of Certificate of Live Birth State & D.O.S. Authentications
8. Copy of Certificate of Live Birth

PRIVATE PREPAID TREASURY EXEMPTION # 450475738

CHARGE THE SAME TO: SYBIL JOY EHNINGER-HIGH 450-47-5738

You are hereby notified that I hereby tender payment for the above referenced account.

12 U.S. Code § 411 – Issuance to reserve banks; nature of obligation

The said notes shall be obligations of the United States and shall be receivable by all national and member banks Federal Reserve banks and for all, and other public dues. They shall be redeemable at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.

The Emergency Relief Act of 1933 - AN ACT

To provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by (Sec. 4 (a)) Out of the funds...to provide the necessities of life to persons in need as a result of the present emergency, and/or to their dependents, whether resident, transient, or homeless. – The Federal Emergency Act of 1933
Approved May 12, 1933 (Sec. 4. (a))

"The ownership of all property is in the state."

"Under the new law government obligations, is backed by the credit of the nation. It will represent a mortgage on all the homes, and property of all the people of the nation." Senate Document No. 43, 73rd Congress, 1st Session, Congressional Record, March 9, 1933 on HJR 1491 p. 83.

Obligations of the United States shall be receivable for all public debts. They shall be redeemable at The Treasury of the United States or at any Federal Reserve Bank. 12 U.S. Code Sec. 411 – Issuance to reserve banks; nature of obligation; redemption

(December 23, 1913, ch. 6 § 16 par. 38 Stat. 265; January 30, 1934, ch. 6 § 2(b)(1), 48 Stat. 337; August 23, 1935, ch. 614, title II, § 203(a), 49 Stat. 704.)

You are hereby notified that I do hereby tender payment for the above referenced obligation of debt, and because this debt concerns property of the United States it is deemed by law and operation to be a "government obligation" and must be handled in accord with the dictates of statute. I accept the obligation on and in behalf of the United States of America and hereby make assignment of the obligation(s) to the United States Treasury Department on and in behalf of the United States of America as authorized by statute. You are to present the item (remittance coupon) to the United States Treasury Department or at any Federal Reserve bank to include any Federal Reserve member banks to redeem the value of the obligation. 12 USC 411

This shall serve as my notice of change in the terms of any contract, cancelling and/or suspending any acceleration and/or associated penalties in paying the "U.S. government [debt instrument] obligations" for value through acceptance, pledging an assignment in full.

"Since 1933 March 9, 1933, the United States has been in A STATE OF DECLARED NATIONAL EMERGENCY."

7 CFR § 1901.508 Servicing of insured notes outstanding with investors.

- i. Endorse the insured note as follows: "Pay to the order of... Without recourse." The holder will then deliver the endorsed note to the Director, Finance Office.
- ii. On receipt of the enclosed note the Director, Finance Office will acknowledge receipt of the note and process payment to the assignor of the par value of the note as of the date of the Treasury check.

Please note that this is an attempt to discharge a government obligation i.e.: debt instrument is permitted by statute, please also note that it is the official position of the United States government that:

From the official United States Government Treasury Department website:

Legal Tender Status – Treasury Department --- U.S. DEPARTMENT OF THE TREASURY

<https://www.treasury.gov/resource-center/faqs/Currency/Pages/legal-tender.aspx>

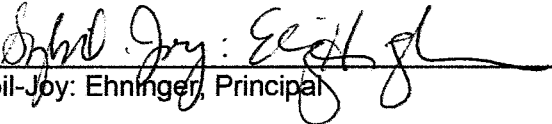
January 4, 2011 – The pertinent portion of law that applies is the Coinage Act of 1965, specifically 31 U.S.C. § 5103, entitled "Legal Tender," which states: "United States coins and currency (including Federal reserve notes and circulating notes of Federal reserve banks and national banks) are legal tender...Federal reserve notes are not redeemable in any commodity, and receive no backing by anything. This has been the case since 1965. The notes have no value for themselves."

The remedy provided by the U.S. Government for discharging government obligations is 12 USC 411, and I elect to use that remedy. The attached Government Obligation Remittance Coupon is evidence of "tendered payment" and "discharge."

Please present the item (remittance coupon) to the United States Treasury Department or at any Federal Reserve bank to include any Federal Reserve member banks to redeem the value of the obligation. 12 USC 411. Please settle and close these accounts and return the interest to the principal, and a letter, notice or statement of having done so to Sybil-Joy: Ehninger at the post location listed above. Additionally, as the Receiver in the bankruptcy of the UNITED STATES, I am requesting you to command the entities listed on said Negotiable Instrument(s), to release all bonds and sureties, and notify all sureties of their release.

These instruments are being tendered by Sybil-Joy: Ehninger, hereinafter "Principal", for the set off of PNC BANK, NA Account No. 1000359149, and are to be used to affect debit and credit accounting transactions for the settlement and closure of said account. If any of the enclosed instruments contain any defects or are incorrect, incomplete, or inaccurate, please return the same to the Principal via the Care Of address shown above within 10 days from the date of receipt.

Please exercise ordinary care, as the party entitled to enforce these instruments, to ensure that all debit or credit transactions ledgered to accounts 1000359149, and SYBIL JOY EHNINGER-HIGH, 450-47-5738 are done so in the best interest of the United States Treasury.

By: 
Sybil-Joy: Ehninger, Principal

UNIFORM COMMERCIAL CODE

§ 3-603. TENDER OF PAYMENT.

(a) If tender of payment of an obligation to pay an instrument is made to a person entitled to enforce the instrument, the effect of tender is governed by principles of law applicable to tender of payment under a simple contract.

(b) If tender of payment of an obligation to pay an instrument is made to a person entitled to enforce the instrument and the tender is refused, there is discharge, to the extent of the amount of the tender, of the obligation of an indorser or accommodation party having a right of recourse with respect to the obligation to which the tender relates.

(c) If tender of payment of an amount due on an instrument is made to a person entitled to enforce the instrument, the obligation of the obligor to pay interest after the due date on the amount tendered is discharged. If presentment is required with respect to an instrument and the obligor is able and ready to pay on the due date at every place of payment stated in the instrument, the obligor is deemed to have made tender of payment on the due date to the person entitled to enforce the instrument.

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about December 21st, 2018 the contents of Certified mail # 7015 0640 0001 4856 7420 as detailed on the NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE, AND NOTICE OF INTENT TO SUE.

Respondent(s)

Robert O. Reilly, CFO for PNC BANK, NA, 249 5th Ave The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE


Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

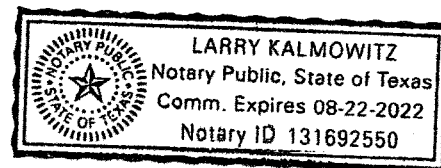
The undersigned Notary certifies that on or about December 21st, 2018, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 7420 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.


Notary Public's Signature
MY COMMISSION EXPIRES: 08-22-2022
Larry Kalmowitz, Notary Public
c/o PO Box 6626
Tyler, TX 75711

January 14, 2019
Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT

CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz, a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that this document is being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this **21st day of December, 2018**. This documents is to be sent via U.S.P.O. CERTIFIED MAIL, receipt number 7015 0640 0001 4856 7420, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222 Via Registered Agent CORPORATION SERVICE CO dba CSC LAWYERS INCORPORATING SERVICE COMPANY 211 E 7th Street Suite 620 Austin, TX 78701-3218.

All responses are to be mailed within 5 business days to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE AND NOTICE OF INTENT TO SUE

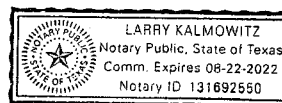
PNC BANK NA / CFO Robert Q Reilly (applicable to all successors and assigns) has (5) five business days from receipt of this "NOTICE OF FINAL FAULT AND OPPORTUNITY TO CURE" to respond to the original Letter entitled "Foreclosure Loan number 1000359149" mailed to you on September 20, 2018 via USPO Certified mail # 7015 0640 0001 4856 3927 in its totality under terms and conditions set forth therein or otherwise be advised that upon FINAL DEFAULT, PNC BANK NA irrevocably waives all notices, presentments, process, claims and defenses and agrees to be irrevocably bound to the terms, conditions, stipulations, obligations and invoices set forth in the letter "Foreclosure Loan Number 1000359149."

SWORN TO and subscribed on and **IN WITNESS WHEREOF** this 21st day of December, 2018.

By: Sybil Ehninger High
Sybil Ehninger High
As: Real Party in Interest

NOTARY SIGNATURE: Larry Kalmowitz

MY COMMISSION EXPIRES: 08-22-2022



Personally Known _____ Produced Identification ☒ Type of Identification DL

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Corporation Service Co
211 E 4th Street
Suite 620
Austin TX 78701-3218
Reg Agent for PNC Bank NA



9590 9402 3613 7305 1605 97

2. Article Number (Transfer from service label)

7015 0640 0001 4856 7420

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Kyle Ratzlaff

☐ Agent☐ Addressee

B. Received By (Printed Name)

C. Date of Delivery

DEC 31 2018

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Kyle Ratzlaff

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☒ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery (00)

Domestic Return Receipt

7015 0640 0001 4856 7420

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Adult Signature Required \$ <input type="checkbox"/> Adult Signature Restricted Delivery \$	Postage Total Postage and Fees for PNC Bank
Sent to Corporation Service Company 211 East 4th Street Suite 620 Austin TX 78701-3218 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Republic of Texas

)
)
)
) SS
)
)

**NOTARY CERTIFICATE OF
DISHONOR AND NON-
RESPONSE**

Smith County

P R E S E N T M E N T

Be it known, that a duly empowered Notary Public, in and for the STATE OF TEXAS, COUNTY OF SMITH, a third party and not a party to the matter, at the request of Principal / Secured Party, did present on October 9, 2018, a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE pursuant to international commercial law listed within the Notary Certificate of Service via Certified Mail with a Return Receipt to:

ATT'N: CFO for
PNC BANK NA
249 FIFTH AVENUE
THE TOWER AT PNC PLAZA, 21ST FLOOR
PITTSBURGH, PA 15222
Respondent / LIBELLEE

The Secured Party sent a Notice requiring Respondent / LIBELLEE to issue a timely rebuttal regarding the allegations in Claim No. 7015 0640 0001 4856 3927, and the time limit has elapsed, constituting acceptance by Respondent / LIBELLEE thereof instead of providing a timely response / rebuttal to the allegations of the Secured Party. An un rebutted Affidavit stands as the judgment in commerce.

P R O T E S T

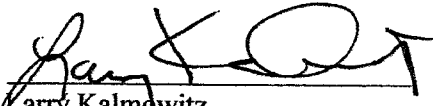
Whereupon, the Notary Public signing below, for the purpose and reason of Dishonor and Non-Response, does publicly and solemnly certify the dishonor as against all parties it may concern for liability equivalent to the face value of the instrument and the claim of the debt, and all costs, late fees, damages and interest incurred, or hereafter incurred, by reason of non-performance thereof and stipulations therein.

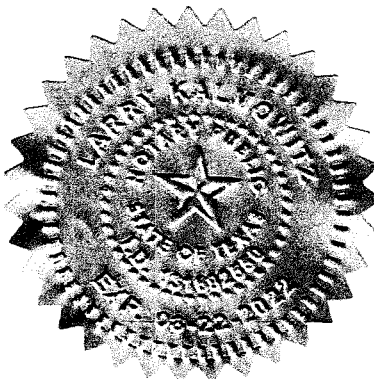
N O T I C E

The undersigned Notary Public certifies that on the 22nd day of October, 2018, this Notice of Dishonor was sent to Respondent by depositing said document with the USPS, Certified Mail No. 7015 0640 0001 4856 4184 with a Return Receipt Requested.

T E S T I M O N Y

In testimony of the above, I have hereunto signed my name as a Notary Public and a non-interested third-party witness.


Larry Kalmowitz
Notary Public
PO Box 6626
Tyler, Texas [75711]



NOTICE OF DEFAULT IN DISHONOR

Certified Mail #: **Certified Mail # 7015 0640 0001 4856 4184**

Notice date: **October 22, 2018**

Libellant: **Sybil-Joy Ehninger High**
Service by and respond to:
c/o Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, Texas [75711]

LIBELLEE: ATTN:
Robert Q Reilly, CFO for PNC BANK NA
249 Fifth Avenue
The Tower at PNC Plaza, 21st Floor
Pittsburgh, PA 15222

Reference: **FORECLOSURE Acct 1000359149**

This instrument is a **Notice of Default in Dishonor** upon the instrument(s) tendered by the Libellant on or about September 20, 2018 with the U.S.P.S. Certified Mail Article No. # 7015 0640 0001 4856 3927 with a Return Receipt requested. The return receipt was received by the Respondent(s) on or about September 25, 2018 at the address referenced above.

PRESENTMENT: On **September 20, 2018**, Larry-Mark: Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 3927:

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger to PNC BANK, NA CFO Robert Q. Reilly

On **October 9, 2018**, Larry Kalmowitz (Notary Public), at the request of the Libellant, presented the following instrument(s) via USPO Certified Mail # 7015 0640 0001 4856 9172:

1. Notice of Dishonor and Opportunity to Cure

DISHONOR: By the terms and conditions of the agreement resulting by the LIBELLEE'S disregard of the Presentments, the LIBELLEE is under the duty and obligation to timely and in good faith protest and/or honor the contract by presentment within the allowed timeframe and to provide a timely rebuttal and / or an adjusted statement of account. The failure by LIBELLEE to issue a timely response comprises their agreement with all of allegations of the LIBELLEE'S misconduct set forth by the Libellant.

Allowing fourteen (14) days for the initial response, Libellant did not receive a satisfactory response. The Second Notice granted an additional ten (10) days for the opportunity to cure the dishonor. With the time allowed having passed for the LIBELLEE to cure their dishonor, and the Notaries showing no record of rebuttal or response, the Libellant and third-party witnesses now deem the instrument(s) to have been dishonored on or around October 9, 2018, and the **Notice of Dishonor and Opportunity to Cure** to have been dishonored on October 22, 2018, thereby comprising a confession of judgment on the merits.

DEFAULT: For the LIBELLEE'S failure to respond, the Respondent(s) are at **fault**. For the Respondent(s) failure, refusal, or neglect to respond to the verified presentment and to the **Notice of Dishonor and Opportunity to Cure**, LIBELLEE thereby acquiesces and tacitly agrees with all terms, conditions, stipulations, obligations, and invoices set forth within the **FORECLOSURE Acct 1000359149**.

Of this presentment take due **Notice** and heed. Please govern yourself accordingly.



The State of Texas

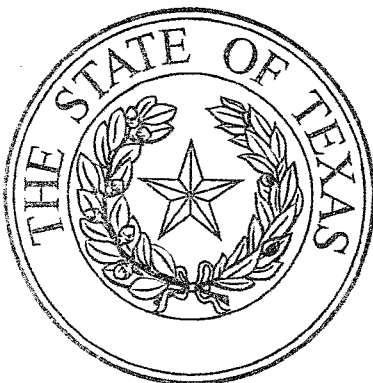
Secretary of State

I, Rolando B. Pablos, Secretary of State of the State of Texas, DO HEREBY
CERTIFY that according to the records of this office,

LARRY KALMOWITZ

was commissioned as a Notary Public for the State of Texas on August 22,
2018, for a term ending on August 22, 2022.

Issued: November 19, 2018
Certificate Number 11642882



A handwritten signature in black ink, appearing to read "R. Pablos", written over a horizontal line.

Rolando B. Pablos
Secretary of State
GF/aw

IN WITNESS WHEREOF, I hereunto set my hand on this 22nd day of October, 2018 and that the Libellant hereby affirms all of the statements made above are true, correct, complete, and are not misleading.

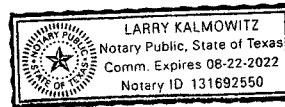
Autograph: Sybil Joy Ehninger High
Sybil Joy Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED / UCC 1-308

JURAT

State of Texas)
) ss.
County of Smith)

Sworn to (or affirmed) and subscribed before me on this 22nd day of October 2018, by
Sybil Joy Ehninger High proved to me on the basis of satisfactory evidence to be the one who
appeared before me.

[Signature]
Notary Public's Signature



MY COMMISSION EXPIRES: 08-22-2022

LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to: PNC BANK, NA CFO: Robert A Reilly 1 PNC Plaza, 21st Floor 249 Fifth Avenue Pittsburgh, PA 15222-2707</p>		<p>B. Received by (Printed Name) C. Date of Delivery Pittsburgh PA 25 2018</p>	
<p>2. Article Number (Transfer from service label) 7015 0640 0001 4856 3927</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery (3)</p>		<p> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>	

7015 0640 0001 4856 3927

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
<p>Certified Mail Fee \$</p> <p>Extra Services & Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p> <p>Postage \$</p> <p>Total Postage and Fees \$</p>	<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p> <p>Handwritten: PNC CFO Robert A Reilly, 21st Floor, 249 5th Ave, Pittsburgh, PA 15222-2707</p> <p>Handwritten: PNC Bank</p>

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about **October 9th, 2018** the contents of Certified mail # 7015 0640 0001 4856 9172 as detailed on the NOTICE OF DISHONOR AND OPPORTUNITY TO CURE.

Respondent(s)

Robert Q. Reilly, CFO for PNC BANK, NA, 249 5th Ave The Tower at PNC Plaza, 21st Floor, Pittsburgh PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, c/o PO Box 6626, Tyler TX 75711.

NON-RESPONSE

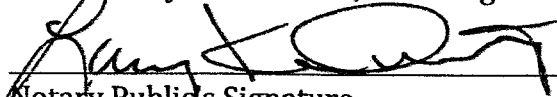
Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about **October 9th, 2018**, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 9172 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.



Notary Public's Signature

October 22nd, 2018

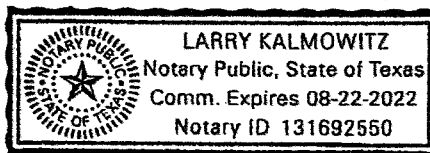
Date

MY COMMISSION EXPIRES: 08-22-2022

Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

NOTICE OF DISHONOR AND OPPORTUNITY TO CURE

This is a private communication between the parties.

Notice to agent is notice to principal. Notice to principal is notice to agent.

Date of Notice: October 9, 2018, Certified Mail # 7015 0640 0001 4856 9172

UNDERSIGNED

Sybil-Joy: Ehninger High. c/o Larry Kalmowitz, Notary Public, P.O. Box 6626 Tyler, TX 75711

RESPONDENT(S)

Robert Q Reilly, CFO PNC BANK NA, 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222

In the matter of: FORECLOSURE Acct 1000359149

Dear Robert Q Reilly:

This instrument is a **NOTICE OF DISHONOR AND OPPORTUNITY TO CURE** upon the instrument(s) presented under notary seal by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler TX 75711 on or about September 20, 2018 with the Certified Mail Number 7015 0640 0001 4856 3927, Return Receipt requested.

List of enclosed documents:

- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger to PNC BANK, NA CFO Robert Q. Reilly

DISHONOR

By the terms and conditions of the agreement resulting by the offer and acceptance of the presentment mailed September 20, 2018, the Respondent(s) are under the duty and obligation to timely and in good faith respond to the mailing within fourteen (14) days by executing a verified response point-by-point with evidence that is true, correct and complete, to be received by Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, TX 75711. Allowing fourteen (14) days for the receipt of your response, and the time allowed having passed, and the Notary showing no record of response, UNDERSIGNED now deems the instrument(s) to have been dishonored on October 9, 2018, and therefore a confession of fault on the merits is warranted.

OPPORTUNITY TO CURE

For the failure of the RESPONDENT to reply, the UNDERSIGNED is placing the RESPONDENT(S) at fault. This presentment is the good faith offer by the UNDERSIGNED to grant an extension of time to the RESPONDENT(S) of an additional ten (10) days from the date of the postmark of this presentment. RESPONDENT(S) has ten (10) days from the date of this postmark to reply to the Notary at the address given above. For the RESPONDENT(S) failure, refusal, or neglect in the provision of a verified, timely, and complete response; as a sufficient verified response is defined below, to this NOTICE OF DISHONOR AND OPPORTUNITY TO CURE, RESPONDENT is consenting with the UNDERSIGNED'S entry of a NOTICE OF DISHONOR AND OPPORTUNITY TO CURE upon the RESPONDENT(S). The issuance of this NOTICE verifying RESPONDENT(S) non-response, and RESPONDENT(S) acquiescence and tacit agreement with all terms, conditions and stipulations herein by Larry Kalmowitz, Notary.

RESPONSE

Only a response that meets the following criteria qualifies as a sufficient, timely and verified response:

1. Any response must be made via a sworn affidavit, verified and/or affirmed by a signature under the penalty of perjury, or by a signature under the full commercial liability, of the affiant(s) thereof; and
2. Any response must be made as a presentment to the Notary named above, Larry Kalmowitz, delivered to the above address PO Box 6626, Tyler, TX 75711, by Certified, or Registered Mail to ensure delivery and appropriate certification, and received by said Notary no later than ten (10) days from the postmark of this presentment. Service in any other manner will be defective on its face.

DEFAULT

Default conveys your agreement with all of the statements and facts set forth within the original mailing Certified mail #7015 0640 0001 4856 3927.

Of this presentment take due Notice and heed, and govern yourself accordingly.

I, Notary Public, do hereby certify that the statements made above are true, correct and complete.

Autograph: Sybil Joy Ehninger High (seal)
Sybil Joy Ehninger High, Executrix,
Executive Trustee for the Private Trust
known as **SYBIL JOY EHNINGER HIGH TRUST**
ALL RIGHTS RESERVED UCC 1-308

JURAT

State of Texas)
County of Smith) ss.

Sworn to (or affirmed) and subscribed before me on this 9TH day of October 2018, by Sybil Joy Ehninger High proved to me on the basis of satisfactory evidence to be the one who appeared before me.

[Signature]
Notary Public's Signature

October 9, 2018
Date

MY COMMISSION EXPIRES: 08-22-2022



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

PNC BANK NA
CFO Robert A Reilly
249 Fifth Avenue
The Tower at PNC Plaza
21st Floor
Pittsburgh, PA 15222



9590 9402 3614 7305 6854 40

2. Article Number (Transfer from service label)

7015 0640 0001 4856 9172

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Pittsburgh PA

C. Date of Delivery

OCT 15

D. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted DeliveryMail
Restricted Delivery
(00)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Return Receipt for Merchandise☒ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7015 0640 0001 4856 9172

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
Certified Mail Fee \$ _____	Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____
Postage \$ _____	Total Postage and Fees \$ _____
Postmark Here OCT 15 2015	
City, State, ZIP+4® PNC BANK NA Street and Apt. No., or PO Box No. PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

AFFIDAVIT OF NON-RESPONSE

STATE OF TEXAS)
) ss
COUNTY OF SMITH)

PRESENTMENT

Be it known, that, the person signing below, a duly empowered Notary Public, at the request of Sybil-Joy: Ehninger High In care of Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did duly present on or about **September 20th, 2018** the contents of Certified mail # 7015 0640 0001 4856 3927 as detailed on the NOTARY CERTIFICATE OF MAILING.

Respondent(s)

Robert Q Reilly, CFO for PNC BANK NA, 249 Fifth Avenue, One PNC Plaza, 21st Floor, Pittsburgh, PA 15222

Sent at the request of Sybil-Joy: Ehninger High, and requesting a response by way of a third party witness, Notary Public, Larry Kalmowitz, PO Box 6626, Tyler TX 75711.

NON-RESPONSE

Whereupon, the Notary Public signing below does publicly and solemnly certify that no response was received.

NOTICE

The undersigned Notary certifies that on or about **September 20th, 2018**, Larry Kalmowitz, Notary Public, PO Box 6626, Tyler, Texas 75711 did send the certified mail # 7015 0640 0001 4856 3927 by depositing in a depository of the United States Post Office within the State of Texas, within a sealed envelope, Return Receipt requested.

TESTIMONY

In testimony of the above, I have signed my name and attached my official seal.



Notary Public's Signature

MY COMMISSION EXPIRES: 08/22/2022

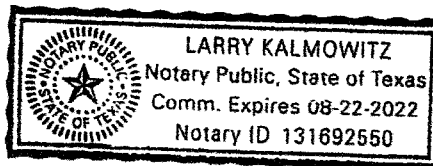
Larry Kalmowitz, Notary Public

c/o PO Box 6626

Tyler, TX 75711

October 9th, 2018

Date



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

AFFIDAVIT OF NOTARY PRESENTMENT

CERTIFICATION OF MAILING

State of Texas

County of Smith

I, Larry Kalmowitz a duly qualified Notary Public, in and for the State of Texas, County of Smith, serving as a third party witness, personally verifying that these documents are being placed in an envelope and to be sealed by me, for the sole purpose of certifying a response or want thereof, at the request of Sybil-Joy: Ehninger High, a living woman, for presentment on this 20th day of September, 2018. These Documents are to be sent via U.S.P.O. CERTIFIED MAIL receipt number 7015 0640 0001 4856 3927, to the CFO of PNC BANK, N.A., 249 Fifth Avenue, The Tower at PNC Plaza, 21st Floor, Pittsburgh, PA 15222.

All responses are to be mailed to:

Larry Kalmowitz, Notary Public
PO Box 6626
Tyler, TX 75711

List of enclosed documents:

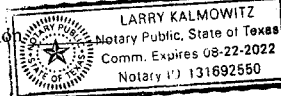
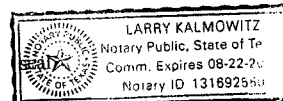
- 1 Cover page, Affidavit of Notary Presentment and Certification of Mailing
- 2 One page, legal sized, letter from Sybil Joy Ehninger to PNC BANK, NA CFO Robert Q. Reilly

Requestor's Autograph: Sybil Joy Ehninger
By: Sybil-Joy: Ehninger High Authorized Representative
Principal for the SYBIL JOY EHNINGER HIGH ESTATE, UCC 3 -402
ALL RIGHTS RESERVED, "WITHOUT PREJUDICE" UCC 1-308

NOTARY SIGNATURE: [Signature]

MY COMMISSION EXPIRES: 8/22/2022

Personally Known ☐ Produced Identification DL Type of Identification



LEGAL NOTICE

The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. Tampering with a witness, victim, or an informant. The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.

Sybil Joy Ehninger
7237 Retriever Lane
Fort Worth, TX 76120

September 20, 2018

PNC BANK NA
C/O: CFO Robert Q. Reilly
1 PNC PLAZA
21st Floor
249 Fifth Avenue
Pittsburgh, PA 15222-2707

Re: Foreclosure
Loan Number: 1000359149
Property Address: 7237 Retriever Lane, Fort Worth, TX 76120

Dear CFO Robert Q. Reilly,

It has come to my attention that there was more to this transaction than I was ever made aware of.

I want to be perfectly clear that this communication is coming directly and strictly from the Grantor/Maker of the Promissory Note/Note, as executed on October 2, 2012. This is not a communication from the Borrower, as stipulated in the Mortgage Agreement executed on October 2, 2012.

As an attempt at rectifying the situation and to understand the claims, I am asking the following questions of PNC BANK, N.A. and any of its agents included herein. Your prompt attention to this matter is greatly appreciated.

I demand that these answers be sent to me in writing, within 14 days of the receipt of this letter. Failure of the bank to respond in writing to answer ALL of the questions listed below will be deemed an admission that the true nature and intent of the transaction does not reflect Grantor's true intention, and therefore I will act accordingly.

The questions are:

- 1) Was there a Trust relationship created at the execution/inception of the Promissory Note/Note?
- 2) If there was, who is the grantor of this Trust Relationship?
- 3) Was the Promissory Note converted into a check or draft after execution?
- 4) Was the Promissory Note/Note executed at closing deposited into an account with the bank?
- 5) Did the bank operate solely in a covered transaction; and did bank deposit a 100% cash collateral into an account prior to receiving the credits from the exchange of the promissory note at an international banking facility?
- 6) Does the bank have available for inspection the FR 2900 OMB Number 7100-0087 filed as required by law to account for such mandatory deposits before such a transaction did or can occur?
- 7) If it was deposited, was the deposit general in nature?
- 8) If it was deposited, was a deposit slip provided at any time after deposit?
- 9) Was the deed to the property properly delivered at closing?
- 10) Was the Promissory Note/Note securitized and sold into a Mortgage-Backed Security (MBS)?
- 11) Does the bank have available for inspection the original Promissory Note/ Note bearing my wet ink signature?

I thank you for taking the time to answer these questions above. If additional sources of reference are needed to answer these questions, please seek them out to thoroughly answer them.

Please send your responses in writing to the public notary address listed below within 14 days of the date of this letter.

Larry Kalmowitz, Public Notary
PO Box 6626
Tyler, TX 75711

I await your response.

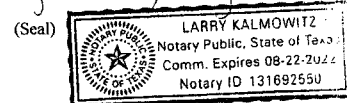
Thank you in advance,

By: Sybil Joy Ehninger
Name: Ehninger, Sybil Joy
Title: Grantor

State of Texas
County of Smith

This instrument was acknowledged before me on 9/20/2018 (date) by

Sybil Ehninger High



[Signature]
Notary Public's Signature

USPS Tracking®

FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70150640000148563927

Remove X

Expected Delivery on

TUESDAY

25

SEPTEMBER
2018 ⓘ

See Product Information ∨

 **Delivered**

September 25, 2018 at 10:57 am
Delivered
PITTSBURGH, PA 15222

Get Updates ∨

Feedback

Text & Email Updates ∨

Tracking History ∨

Product Information ∨

See Less ^

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USAO ATTORNEY'S FEES MATRIX — 2015-2019

Revised Methodology starting with 2015-2016 Year

Years (Hourly Rate for June 1 – May 31, based on change in PPI-OL since January 2011)

Experience	2015-16	2016-17	2017-18	2018-19
31+ years	568	581	602	613
21-30 years	530	543	563	572
16-20 years	504	516	536	544
11-15 years	455	465	483	491
8-10 years	386	395	410	417
6-7 years	332	339	352	358
4-5 years	325	332	346	351
2-3 years	315	322	334	340
Less than 2 years	284	291	302	307
Paralegals & Law Clerks	154	157	164	166

Explanatory Notes

1. This matrix of hourly rates for attorneys of varying experience levels and paralegals/law clerks has been prepared by the Civil Division of the United States Attorney's Office for the District of Columbia (USAO) to evaluate requests for attorney's fees in civil cases in District of Columbia courts. The matrix is intended for use in cases in which a fee-shifting statute permits the prevailing party to recover "reasonable" attorney's fees. *See, e.g.*, 42 U.S.C. § 2000e-5(k) (Title VII of the 1964 Civil Rights Act); 5 U.S.C. § 552(a)(4)(E) (Freedom of Information Act); 28 U.S.C. § 2412(b) (Equal Access to Justice Act). The matrix has not been adopted by the Department of Justice generally for use outside the District of Columbia, or by other Department of Justice components, or in other kinds of cases. The matrix does **not** apply to cases in which the hourly rate is limited by statute. *See* 28 U.S.C. § 2412(d).
2. A "reasonable fee" is a fee that is sufficient to attract an adequate supply of capable counsel for meritorious cases. *See, e.g., Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 552 (2010). Consistent with that definition, the hourly rates in the above matrix were calculated from average hourly rates reported in 2011 survey data for the D.C. metropolitan area, which rates were adjusted for inflation with the Producer Price Index-Office of Lawyers (PPI-OL) index. The survey data comes from ALM Legal Intelligence's 2010 & 2011 Survey of Law Firm Economics. The PPI-OL index is available at <http://www.bls.gov/ppi>. On that page, under "PPI Databases," and "Industry Data (Producer Price Index - PPI)," select either "one screen" or "multi-screen" and in the resulting window use "industry code" 541110 for "Offices of Lawyers" and "product code" 541110541110 for "Offices of Lawyers." The average hourly rates from the 2011 survey data are multiplied by the PPI-OL index for May in the year of the update, divided by 176.6, which is the PPI-OL index for January 2011, the month of the survey data, and then rounding to the nearest whole dollar (up if remainder is 50¢ or more).
3. The PPI-OL index has been adopted as the inflator for hourly rates because it better reflects the mix of legal services that law firms collectively offer, as opposed to the legal services that typical consumers use, which is what the CPI-

Legal Services index measures. Although it is a national index, and not a local one, *cf. Eley v. District of Columbia*, 793 F.3d 97, 102 (D.C. Cir. 2015) (noting criticism of national inflation index), the PPI-OL index has historically been generous relative to other possibly applicable inflation indexes, and so its use should minimize disputes about whether the inflator is sufficient.

4. The methodology used to compute the rates in this matrix replaces that used prior to 2015, which started with the matrix of hourly rates developed in *Laffey v. Northwest Airlines, Inc.* 572 F. Supp. 354 (D.D.C. 1983), *aff'd in part, rev'd in part on other grounds*, 746 F.2d 4 (D.C. Cir. 1984), *cert. denied*, 472 U.S. 1021 (1985), and then adjusted those rates based on the Consumer Price Index for All Urban Consumers (CPI-U) for the Washington-Baltimore (DC-MD-VA-WV) area. Because the USAO rates for the years 2014-15 and earlier have been generally accepted as reasonable by courts in the District of Columbia, *see* note 9 below, the USAO rates for those years will remain the same as previously published on the USAO's public website. That is, the USAO rates for years prior to and including 2014-15 remain based on the prior methodology, *i.e.*, the original *Laffey* Matrix updated by the CPI-U for the Washington-Baltimore area. *See Citizens for Responsibility & Ethics in Washington v. Dep't of Justice*, 142 F. Supp. 3d 1 (D.D.C. 2015) and Declaration of Dr. Laura A. Malowane filed therein on Sept. 22, 2015 (Civ. Action No. 12-1491, ECF No. 46-1) (confirming that the USAO rates for 2014-15 computed using prior methodology are reasonable).
5. Although the USAO will not issue recalculated *Laffey* Matrices for past years using the new methodology, it will not oppose the use of that methodology (if properly applied) to calculate reasonable attorney's fees under applicable fee-shifting statutes for periods prior to June 2015, provided that methodology is used consistently to calculate the entire fee amount. Similarly, although the USAO will no longer issue an updated *Laffey* Matrix computed using the prior methodology, it will not oppose the use of the prior methodology (if properly applied) to calculate reasonable attorney's fees under applicable fee-shifting statutes for periods after May 2015, provided that methodology is used consistently to calculate the entire fee amount.
6. The various "brackets" in the column headed "Experience" refer to the attorney's years of experience practicing law. Normally, an attorney's experience will be calculated starting from the attorney's graduation from law school. Thus, the "Less than 2 years" bracket is generally applicable to attorneys in their first and second years after graduation from law school, and the "2-3 years" bracket generally becomes applicable on the second anniversary of the attorney's graduation (*i.e.*, at the beginning of the third year following law school). *See Laffey*, 572 F. Supp. at 371. An adjustment may be necessary, however, if the attorney's admission to the bar was significantly delayed or the attorney did not otherwise follow a typical career progression. *See, e.g., EPIC v. Dep't of Homeland Sec.*, 999 F. Supp. 2d 61, 70-71 (D.D.C. 2013) (attorney not admitted to bar compensated at "Paralegals & Law Clerks" rate); *EPIC v. Dep't of Homeland Sec.*, 982 F. Supp. 2d 56, 60-61 (D.D.C. 2013) (same). The various experience levels were selected by relying on the levels in the ALM Legal Intelligence 2011 survey data. Although finer gradations in experience level might yield different estimates of market rates, it is important to have statistically sufficient sample sizes for each experience level. The experience categories in the current USAO Matrix are based on statistically significant sample sizes for each experience level.
7. ALM Legal Intelligence's 2011 survey data does not include rates for paralegals and law clerks. Unless and until reliable survey data about actual paralegal/law clerk rates in the D.C. metropolitan area become available, the USAO will compute the hourly rate for Paralegals & Law Clerks using the most recent historical rate from the USAO's former *Laffey* Matrix (*i.e.*, \$150 for 2014-15) updated with the PPI-OL index. The formula is \$150 multiplied by the PPI-OL index for May in the year of the update, divided by 194.3 (the PPI-OL index for May 2014), and then rounding to the nearest whole dollar (up if remainder is 50¢ or more).
8. The USAO anticipates periodically revising the above matrix if more recent reliable survey data becomes available, especially data specific to the D.C. market, and in the interim years updating the most recent survey data with the PPI-OL index, or a comparable index for the District of Columbia if such a locality-specific index becomes available.
9. Use of an updated *Laffey* Matrix was implicitly endorsed by the Court of Appeals in *Save Our Cumberland Mountains v. Hodel*, 857 F.2d 1516, 1525 (D.C. Cir. 1988) (en banc). The Court of Appeals subsequently stated that parties may rely on the updated *Laffey* Matrix prepared by the USAO as evidence of prevailing market rates for litigation counsel in the Washington, D.C. area. *See Covington v. District of Columbia*, 57 F.3d 1101, 1105 & n.14, 1109 (D.C. Cir. 1995), *cert. denied*, 516 U.S. 1115 (1996). Most lower federal courts in the District of Columbia

have relied on the USAO's *Laffey* Matrix, rather than the so-called "*Salazar* Matrix" (also known as the "LSI Matrix" or the "Enhanced *Laffey* Matrix"), as the "benchmark for reasonable fees" in this jurisdiction. *Miller v. Holzmman*, 575 F. Supp. 2d 2, 18 n.29 (D.D.C. 2008) (quoting *Pleasant v. Ridge*, 424 F. Supp. 2d 67, 71 n.2 (D.D.C. 2006)); see, e.g., *Joaquin v. Friendship Pub. Charter Sch.*, 188 F. Supp. 3d 1 (D.D.C. 2016); *Prunty v. Vivendi*, 195 F. Supp. 3d 107 (D.D.C. 2016); *CREW v. U.S. Dep't of Justice*, 142 F. Supp. 3d 1 (D.D.C. 2015); *McAllister v. District of Columbia*, 21 F. Supp. 3d 94 (D.D.C. 2014); *Embassy of Fed. Republic of Nigeria v. Ugwuonye*, 297 F.R.D. 4, 15 (D.D.C. 2013); *Berke v. Bureau of Prisons*, 942 F. Supp. 2d 71, 77 (D.D.C. 2013); *Fisher v. Friendship Pub. Charter Sch.*, 880 F. Supp. 2d 149, 154-55 (D.D.C. 2012); *Sykes v. District of Columbia*, 870 F. Supp. 2d 86, 93-96 (D.D.C. 2012); *Heller v. District of Columbia*, 832 F. Supp. 2d 32, 40-49 (D.D.C. 2011); *Hayes v. D.C. Public Schools*, 815 F. Supp. 2d 134, 142-43 (D.D.C. 2011); *Queen Anne's Conservation Ass'n v. Dep't of State*, 800 F. Supp. 2d 195, 200-01 (D.D.C. 2011); *Woodland v. Viacom, Inc.*, 255 F.R.D. 278, 279-80 (D.D.C. 2008); *American Lands Alliance v. Norton*, 525 F. Supp. 2d 135, 148-50 (D.D.C. 2007). But see, e.g., *Salazar v. District of Columbia*, 123 F. Supp. 2d 8, 13-15 (D.D.C. 2000). Since initial publication of the instant USAO Matrix in 2015, numerous courts similarly have employed the USAO Matrix rather than the *Salazar* Matrix for fees incurred since 2015. E.g., *Electronic Privacy Information Center v. United States Drug Enforcement Agency*, 266 F. Supp. 3d 162, 171 (D.D.C. 2017) ("After examining the case law and the supporting evidence offered by both parties, the Court is persuaded that the updated USAO matrix, which covers billing rates from 2015 to 2017, is the most suitable choice here.") (requiring recalculation of fees that applicant had computed according to *Salazar* Matrix); *Clemente v. FBI*, No. 08-1252 (BJR) (D.D.C. Mar. 24, 2017), 2017 WL 3669617, at *5 (applying USAO Matrix, as it is "based on much more current data than the *Salazar* Matrix"); *Gatore v. United States Dep't of Homeland Security*, 286 F. Supp. 3d 25, 37 (D.D.C. 2017) (although plaintiff had submitted a "'great deal of evidence regarding [the] prevailing market rates for complex federal litigation' to demonstrate that its requested [*Salazar*] rates are entitled to a presumption of reasonableness, . . . the Court nonetheless concludes that the defendant has rebutted that presumption and shown that the current USAO Matrix is the more accurate matrix for estimating the prevailing rates for complex federal litigation in this District"); *DL v. District of Columbia*, 267 F. Supp. 3d 55, 70 (D.D.C. 2017) ("the USAO Matrix ha[s] more indicia of reliability and more accurately represents prevailing market rates" than the *Salazar* Matrix). The USAO contends that the *Salazar* Matrix is fundamentally flawed, does not use the *Salazar* Matrix to determine whether fee awards under fee-shifting statutes are reasonable, and will not consent to pay hourly rates calculated with the methodology on which that matrix is based. The United States recently submitted an appellate brief that further explains the reliability of the USAO Matrix vis-à-vis the *Salazar* matrix. See Br. for the United States as *Amicus Curiae* Supporting Appellees, *DL v. District of Columbia*, No. 18-7004 (D.C. Cir. filed July 20, 2018).